



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

Date:	October 3, 2012	1650 Mission Suite 400 San Francisco CA 94103-24
Case No.:	2012.0370E	
Project Title:	1127 Market Street/ Strand Theater	
Zoning:	C-3-G (Downtown General Commercial) 120-X Height and Bulk District	Reception: 415.558.63
Block/Lot:	3702/046	Fax: 415.558.64
Lot Size:	8,250 square feet	
Project Sponsor	Suzanne Brown, Equity Community Builders, LLC representing American Conservatory Theater, (510)848-2455	Planning Information: 415.558.63
Lead Agency:	San Francisco Planning Department	
Staff Contact:	Heidi Kline – (415) 575-9043 Heidi.Kline@sfgov.org	

PROJECT DESCRIPTION

The project site is located midblock on the south side of Market Street between 7th and 8th streets. Located on the site is the former Strand Theater, a four-story, 12,310 square foot (sf) building constructed in 1917. The proposed project involves the renovation and conversion of the existing building from a combination theater (movies and live performance) into a 299-seat live performance theater for the American Conservatory Theater (ACT) with support spaces, including but not limited to rehearsal space/black box theater, box office, costume and sound/ lighting services, green room, and offices, as well as a ground-floor café. An additional 8,863 sf of floor area would be added to the existing building by expanding the basement and upper floors. Minor changes to the building exterior are also planned.

FINDING

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See page 119.

cc: Suzanne Brown, Equity Community Builders, LLC
Gretchen Hilyard, Current Planner
Supervisor Kim, District 6

Master Decision File
Northeast Quadrant Bulletin Board
Distribution List

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INITIAL STUDY - 1127 MARKET STREET/ STRAND THEATER (2012.0370E)

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INITIAL STUDY

Case Number 2012.0370E -- 1127 Market Street/ Strand Theater

A. Project Description

Project Location and Site Characteristics

The project site is located at 1127 Market Street on the south side of Market Street midblock between Seventh and Eighth streets on a block bounded by Market Street to the north, Seventh Street to the east, Mission Street to the south, and Eighth Street to the west, in San Francisco's Mid-Market neighborhood (see Figure 1, Project Location Map, p.11). The 8,250-square-foot (sf) project site (Assessor's Block 3702, Lot 046) contains the Strand Theater, a former theater constructed in 1917 as a combination house capable of showing both motion pictures and live stage shows.

The Strand Theater is approximately 12,310 sf in size and is a four-story building with a partial basement. The basement is comprised of two non-contiguous areas, one section at the front of the building which extends approximately six feet (ft) into the Market Street right-of-way and another at the rear which extends approximately six feet into the Stevenson Street right-of-way. The building's existing height is 54 ft as measured from the grade of the building along the Market Street sidewalk to the top of the cornice on the front building elevation. The masonry (brick and concrete) building has a gable-roof structure behind the front parapet wall which is approximately six feet higher at the peak of the ridge than the top of the front parapet wall. The height of the structure slopes from 60 ft in the front of the building down to 32 ft at the rear. The sloping height of the building from the front to the rear is characteristic of this type of theater structure as the projection room is on the top floor (fourth floor) at the front of the building with the screen at a lower height at the rear of the building.

The existing floor plan and configuration of the building are as follows: The ground floor contains the lobby, movie screen, and main (orchestra) seating area/ auditorium. The upper three floors do not extend the entire length of the building. The existing theater provides seating for approximately 1,100 people. The seating area includes rows of ground-floor orchestra seating and rows of seating in a partial second-floor balcony with its access from a marble-clad staircase in the center of the front lobby. Also on the ground floor are the entrance lobby, projection screen and stage, and musical accompaniment pit. Offices are located on the second and third floors and the former projection room is located on the fourth floor. The basement has been used primarily for storage and building mechanical systems.

The theater building is "I"-shaped and covers the entire lot except for two narrow lightwells along the east and west sides. There are no parking facilities on the site or within the building. The building fronts on Market Street while the rear of the property has frontage on Stevenson Street, a midblock service alley. The building is currently vacant with a plywood barrier along the ground floor of the front building facade to

minimize vandalism and damage to the structure. The building was last used as an adult video venue until 2003 when it was raided and closed down by the San Francisco Police Department.

The project site is located in the C-3-G (Downtown General Commercial) zoning district and a 120-X Height and Bulk district. The site is located across Market Street from the United Nations Plaza (UN Plaza) and the Civic Center Historic District. To the east of the site is the National Register of Historic Places Market Street Theater and Loft District established in 1985. The project site is not within this district which extends from Sixth Street on the east to 1117 Market Street on the west and includes buildings on both sides of Market Street. Additionally, the site is not within the recently-adopted Market Street Masonry District, the eastern border of which is located four blocks to the east of the project site. Immediately to the rear of the project site, across Stevenson Street, is the General Services Agency (GSA) Building, a federal office building. Numerous civic buildings and institutions are located within a quarter-mile of the project site, including the Asian Art Museum (200 Larkin Street), two Federal office buildings (100 Hyde and 90 Seventh streets), United States Court of Appeals (95 Seventh Street), University of California (UC) Hastings School of Law (200 McAllister Street), Supreme Court of California (300 McAlister Street), and the San Francisco Public Library (30 Grove Street).

The project site is a relatively flat parcel and is bordered on the east by a commercially-zoned vacant lot and on the west by a three-story general commercial building with a discount merchandise retailer on the ground floor and single room occupancy lodging rooms (SRO), Budget Inn, on the upper two floors. The main building entrance is on Market Street which is the major corridor through San Francisco's Downtown Area, extending from Upper Market/ Castro District to the southwest to the Ferry Building on the San Francisco Bay at its northeastern terminus. The project site is in the center portion of this corridor, aptly named Mid-Market. This Mid-Market Area has been the focus of revitalization efforts over the last several decades and was studied as a potential Redevelopment Plan Area though not adopted by the Redevelopment Agency.

Proposed Project

The proposed project includes building renovations to convert the former combination movie theater into a live performance theater, with associated rehearsal space/black box theater, costume and sound/ lighting facilities, offices, and a ground-floor café, for the American Conservatory Theater (ACT). The live performance venue would have 299 seats and would serve as a second stage venue for smaller productions and performances by ACT's Master of Fine Arts Program students and other small theater companies. The ACT's main 1040-seat performance theater is located at 415 Geary Boulevard near Union Square in San Francisco. A smaller performance venue, The Costume Shop, was opened by ACT at 1117 Market Street. Subscription performances at the renovated Strand Theater are anticipated to occur on Tuesday through Saturday at 8 p.m. with matinees on Wednesday, Saturday, and Sunday at 2 p.m., each performance approximately two hours in length. The theater would be used during non-performance times by smaller groups of people. Rehearsals would occur up to six days a week, generally between 10 a.m. and 6 p.m., Monday through Saturday, with up to 20 people in attendance. A smaller performance space on the upper

floor would be used as a black box theater, rehearsals, workshops, performances, preshow dinners, classes, etc. The box office in the lobby would be open seven days a week, from 10 a.m. to 6 p.m. on non-performance days and until 8 p.m. on performance days. Ancillary activities to support the live performance theater would include costume and set preparations, technical support services, and classroom activities. A ground-floor café would be operated both during performances, and other non-performance times when it would be open to the general public.

Renovations are planned to the existing 12,310 sf movie theater to provide facilities necessary for its use as a live performance theater. The space needs and building layout are different for these two types of theaters. Additionally, given the existing building was constructed prior to present-day Building and Fire Safety Codes, additional structural work and other upgrades would be completed to address life safety issues. Further, given the building has been vacant the last 10 years, moisture and vandalism have also damaged portions of the building.

Approximately 8,863 sf of area would be added to the existing building by enlarging the basement, enclosing the approximately 7-foot-wide by 80-foot-long lightwell along the east side of the building, enclosing a smaller 5-foot-wide by 35-foot-long portion of the lightwell area on the west side of the building, and extending the length of the partial upper floors to within the open area above the existing seating.

Planned renovations and changes to the existing structure would include the following specific changes:

Exterior

Front (North) Building Elevation

- The existing ground floor façade would be replaced in its entirety with new windows, entrance doors, and flooring and wall materials.
- A flat awning would be installed at the front of the building that would project 10 feet into the Market Street sidewalk. The 18-inch high awning would have a 14-inch LED sign band.
- The façade would be repainted though no changes would be made to the wall cladding.
- New vertical decorative cast relief panels made from contemporary materials would be added at the ground level.
- The multi-light wood sash windows on the existing third and fourth stories would be restored and a new window system added behind the existing windows for insulation and improved acoustics.
- A vertical blade sign made from a stainless steel plate with routed-out letters would project from the third and fourth stories.
- The existing windows with horizontal and vertical mullions on the second story would be replaced with a style using only vertical mullions.
- The cast relief ornament and metal/fiber-reinforced polymer (FRP) cornices would be repaired.

Left Side (East) Building Elevation

- A new four-story-high masonry structural wall would be constructed along the side property line to enclose the seven-foot-wide lightwell and provide an interior hallway adjacent to the auditorium space.
- The existing side building wall along the lightwell would be retained but new openings created into the new hallway.

Right Side (West) Building Elevation

- A new four-story masonry structural wall would be constructed to enclose the five-foot-wide lightwell area for an approximately 35-foot-long portion adjacent to the front of the building.
- New ground-floor doorways would be added along this elevation to facilitate its use as a delivery and service alley.
- The existing structural walls at the north and south ends would be reconstructed 10 inches to the east as a seismic reinforcement measure though this wall would not be visible from the building exterior.

Rear (South) Building Elevation

- New ground-floor doorways and security gates would be added.
- Two smaller windows on the top floor would be removed.

Roof

- A new roof would be applied to the existing metal truss roof structure and skylights added toward the north end of the building, above the rehearsal lobby.
- Two smoke exhaust hatches and a roof access hatch would be added to the south end of the building.
- Package air conditioning units would be added at the north and south ends of the building.

Interior

Basement Level

- The north basement would contain a lower level lobby with men's and women's restrooms and an electrical/mechanical equipment room which would be accessible from stairs from the lobby.
- The south basement would be extended north via partial excavation and would contain a production manager's office, a small restroom, a laundry/wardrobe room, and a green room, two dressing rooms, a shower restroom, and a stage equipment room. The south basement will be accessible via elevator and stairs on the east side of the building.

Ground Floor Level

- The existing lobby features would be demolished and the second story floor plate would be removed, converting the lobby into a two-story volume.
- The existing marble-clad staircase would be removed and a new staircase constructed at the east side of the lobby. An outline would be incorporated into the lobby flooring marking the location and dimensions of the original marble-clad staircase.
- A café/concession bar would be located at the west side of, and open to, the lobby.

- A fritted glass scrim panel would be constructed on the southern side of the lobby to separate it from the box office, café storage, a secondary stairwell to the upper floors, two single restrooms, an elevator shaft to the east, and entrance doors to the auditorium. These spaces would replace the back section of existing orchestra seating area.
- The existing vertical wall pilasters, coved ceiling molding, and decorative metal air grilles in the ceiling would be reused in the new auditorium space.
- Six of the Neoclassical door surrounds from the auditorium would be reused in the Basement Level to frame the entries to the two public restrooms and the dressing rooms.
- The existing plaster picture frame moldings on the east interior walls would be preserved, and new wall openings for box seats provided within the panels between the picture frame moldings.
- The rear wall of the auditorium would be demolished and a new wall constructed closer to the stage.
- The usable space along the length of the auditorium would be increased by constructing a new exterior wall parallel to the existing east exterior wall and converting the existing light well into an interior corridor. This corridor would extend from the lobby to the orchestra seating and backstage space and would be the full height of the auditorium.
- The existing stage and music accompaniment pit would be demolished and replaced with a larger stage.
- Backstage space would include stage loading, a tool room, and an elevator and stairs.

Rear Orchestra Level (Existing Second Floor Level)

- The existing stairs, restrooms, and balcony would be demolished. The north end of the Rear Orchestra Level (mezzanine) would be accessible via the lobby stairs on the east side and would contain a house manager's office, control booth, and sound booth. Additional circulation includes the secondary stairwell and elevator.

Balcony Level

- The new eastern stairway would serve the balcony level, which contains a balcony landing leading to a large storage room. Additional circulation includes the secondary stairwell and elevator. These spaces would be created from the area of the current back two levels of balcony seating.
- The existing front section of the balcony would be demolished and a new smaller balcony added which would be more conducive to an intimate theater space and would provide better sight lines.
- A corridor on the east side of the building, above the orchestra level corridor would provide access to the balcony. This corridor would lead to a backstage space at the south end of the second floor. This space would contain an access ladder, tram beam, and technical gallery, as well as a stairwell on the east.

New Proposed Second Floor (Existing Third and Fourth Floor Levels)

- The office partitions, projection room, and crawl space on the third and fourth floors would be demolished and the floor plate between the third and fourth floors removed to create a two-story volume for the rehearsal room/ black box theater at the north end of the third floor.
- A rehearsal lobby, two single restrooms, a prep kitchen, and an elevator stop would be located at the north end of the building, adjacent to the rehearsal room.

- A corridor on the east side of the auditorium space would lead directly to a data/T.C. room, boiler room, and dimmer room at the south end of the building.



CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

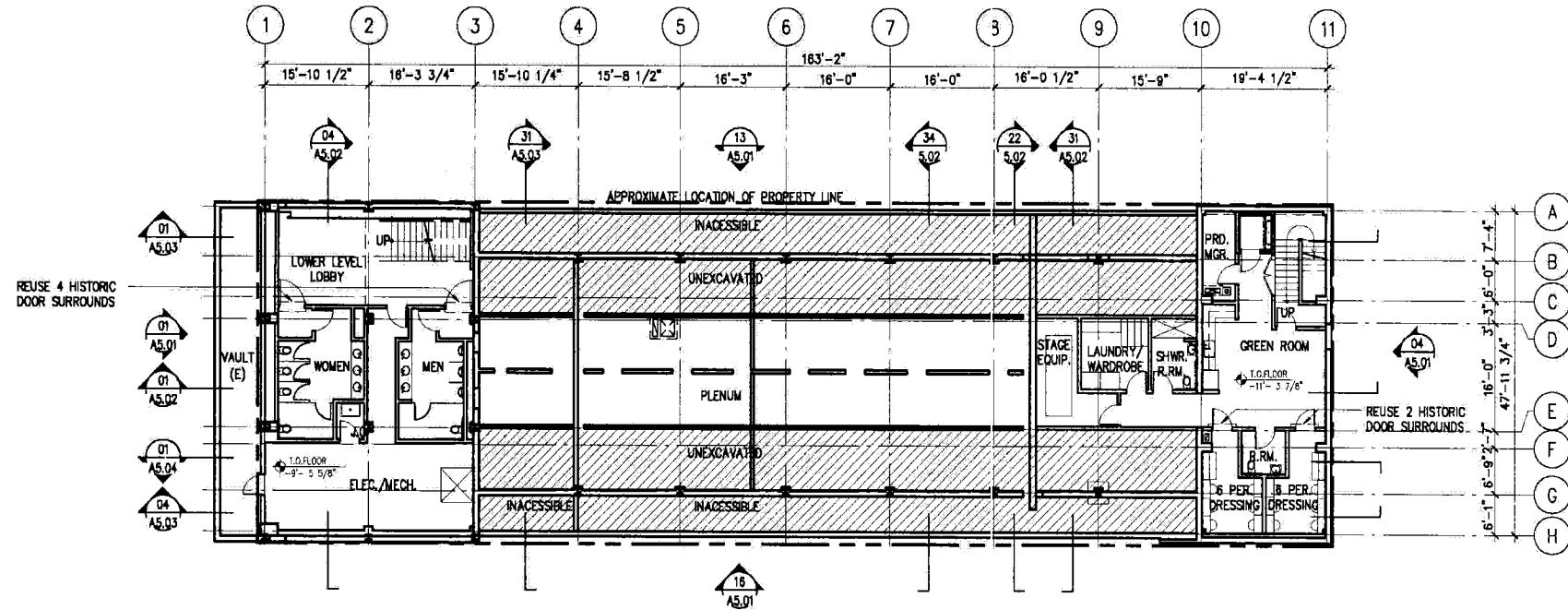
Figure 1, Project Location Map



Figure 1 – Project Location

<http://cityplan-03sde/locationmap/locationmap.html> [8/21/2012 10:00:22 AM]

Source: Planning Department, September 2012



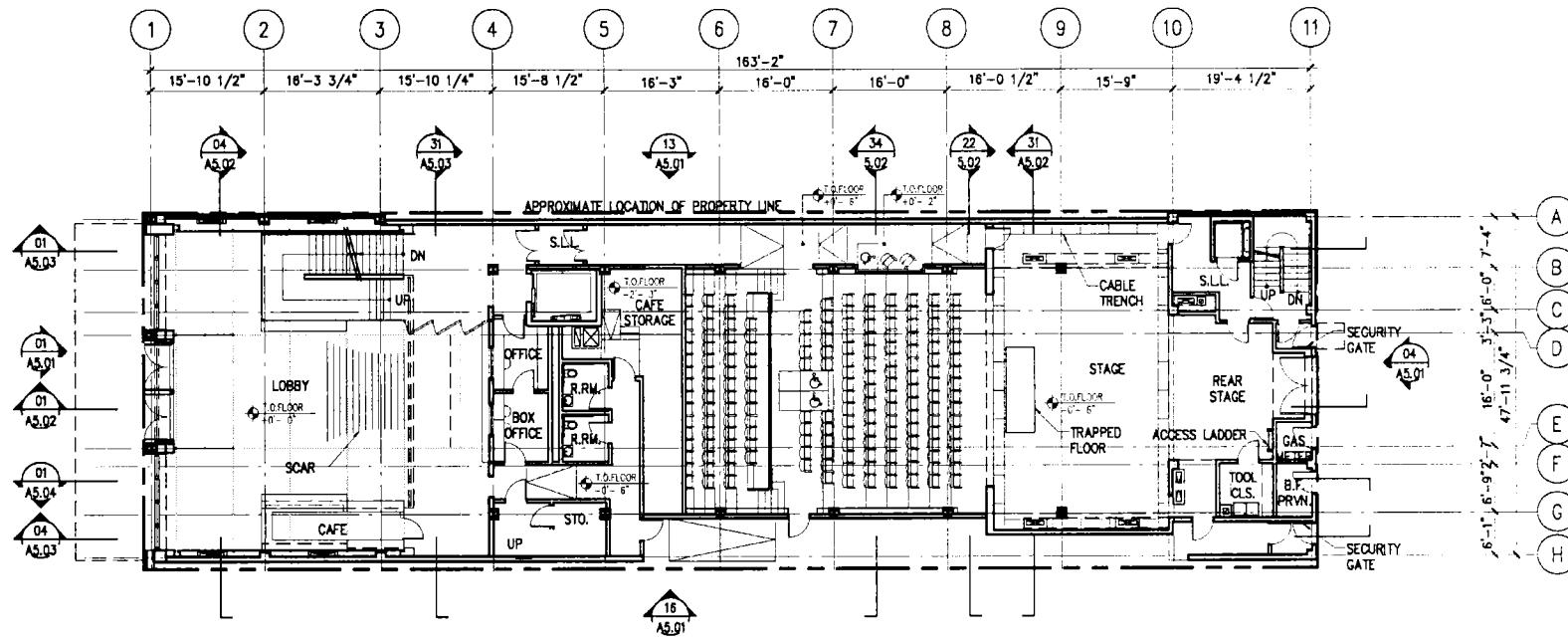
A.C.T. Second Stage Theater
1127 Market Street, San Francisco, CA 94102
Skidmore, Owings & Merrill LLP
San Francisco, California 94111

IN-PROGRESS DESIGN DEVELOPMENT
SEPTEMBER 5, 2012

Job No. 212085 File Name BASEMENT LEVEL
Drawn By TEAM Date 09/05/2012
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A2.1

Figure 2 – Proposed Basement Level Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012

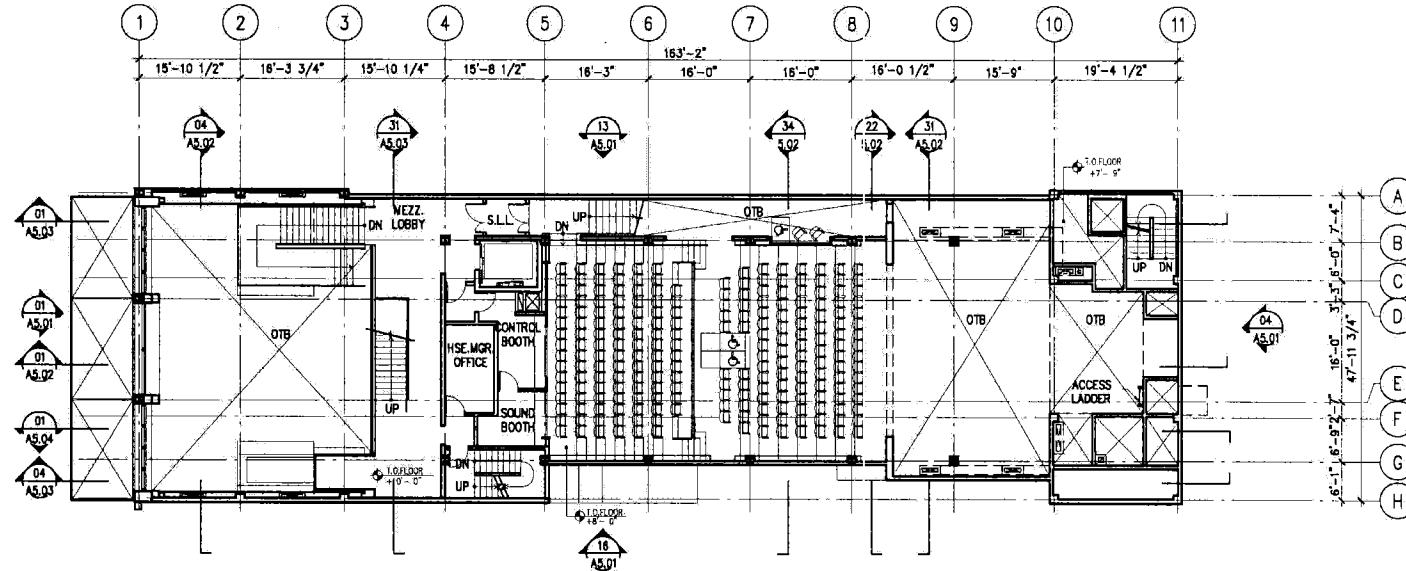


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IN-PROGRESS DESIGN DEVELOPMENT
SEPTEMBER 6, 2012

Job No.	File Name	GROUND LEVEL
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Drawn By	Date	09/05/2012
TEAM		
Scale	Sheet No.	
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Figure 3 – Proposed Ground Level Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012

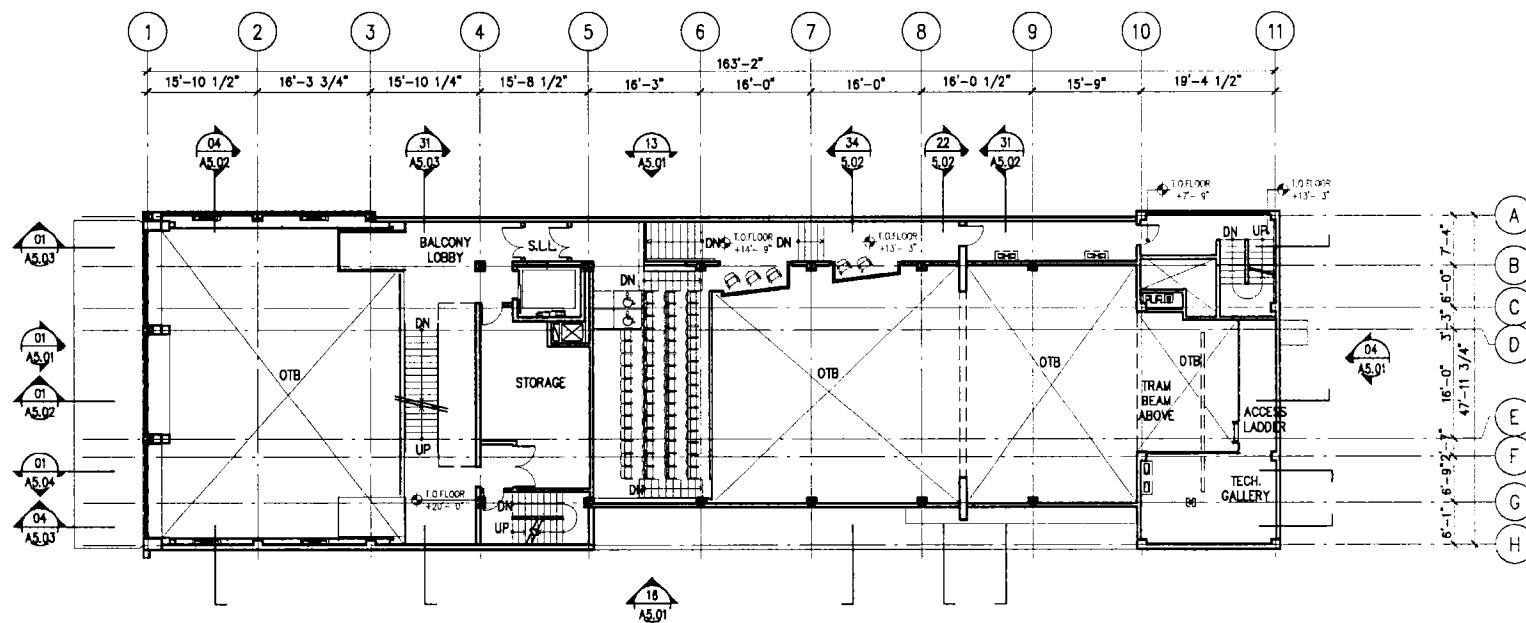


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Job No. 212085 File No. REAR ORCHESTRA LEVEL
 Drawn By TEAM Date 09/05/2012
 Scale 1/16" = 1'-0" Sheet No. A2.3
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Figure 4 – Proposed Rear Orchestra Level Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012

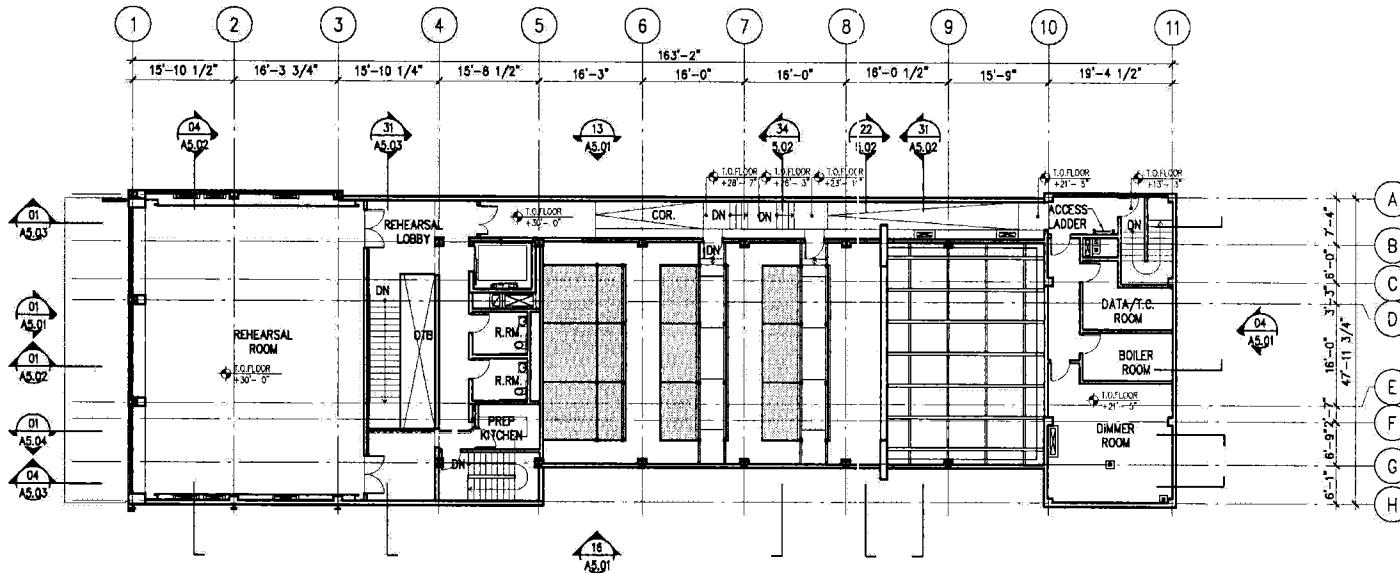


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Job No. 212086 File Name BALCONY LEVEL
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Scale 1/16" = 1'-0" Sheet No. 1
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Figure 5 – Proposed Balcony Level Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



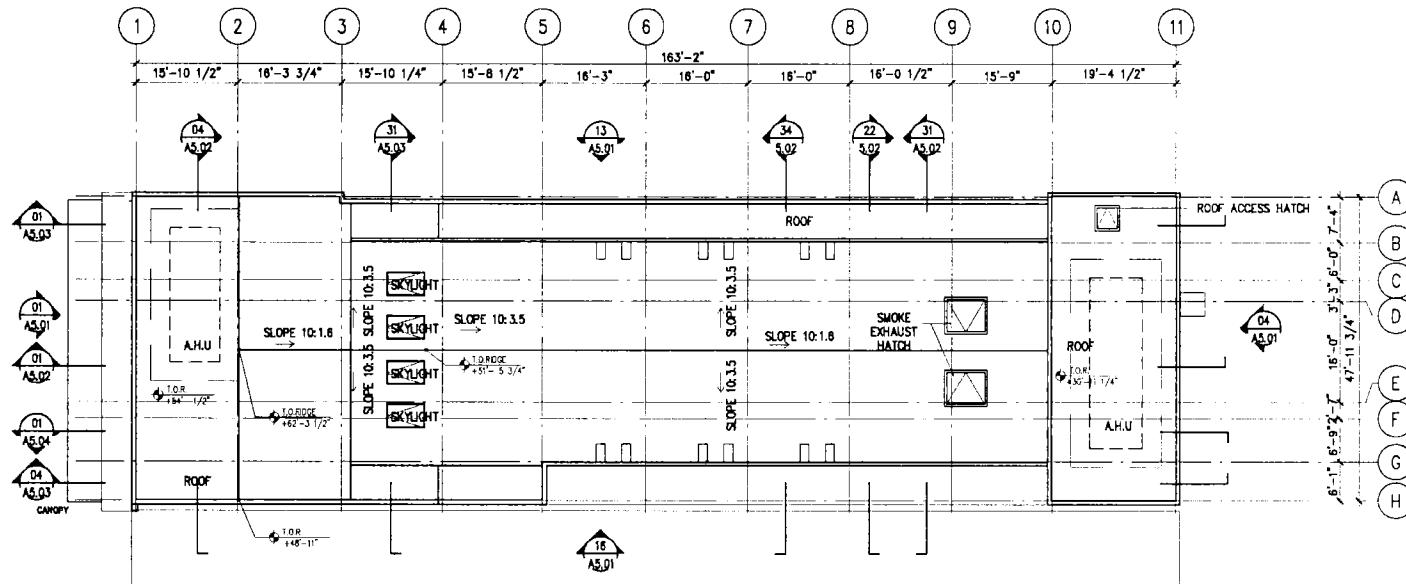
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Job No. 212085 File No. SECOND FLOOR LEVEL
Drawn By TEAM Date 09/05/2012
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A2.5

Figure 6 – Proposed Second Floor Level Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



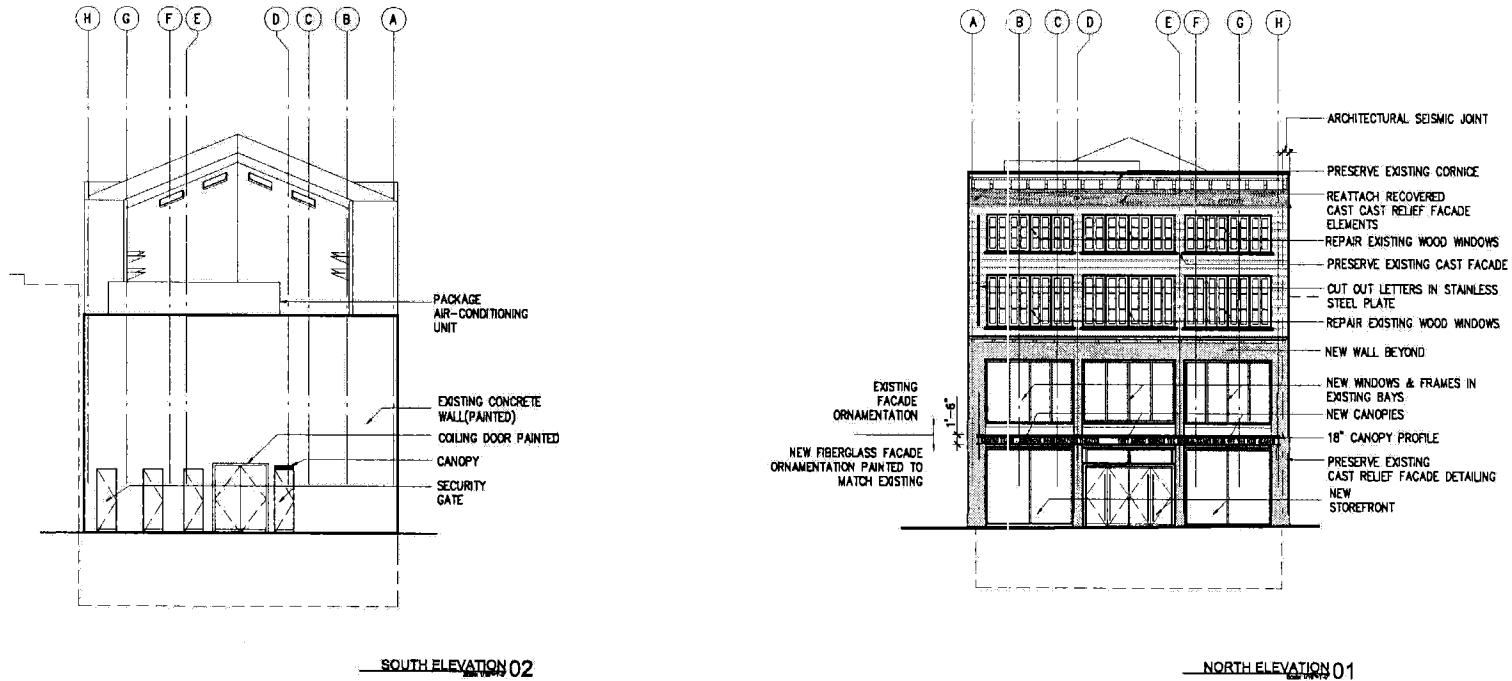
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Job No. 212085 File Name ROOF PLAN
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A2.6

Figure 7 – Proposed Roof Plan, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



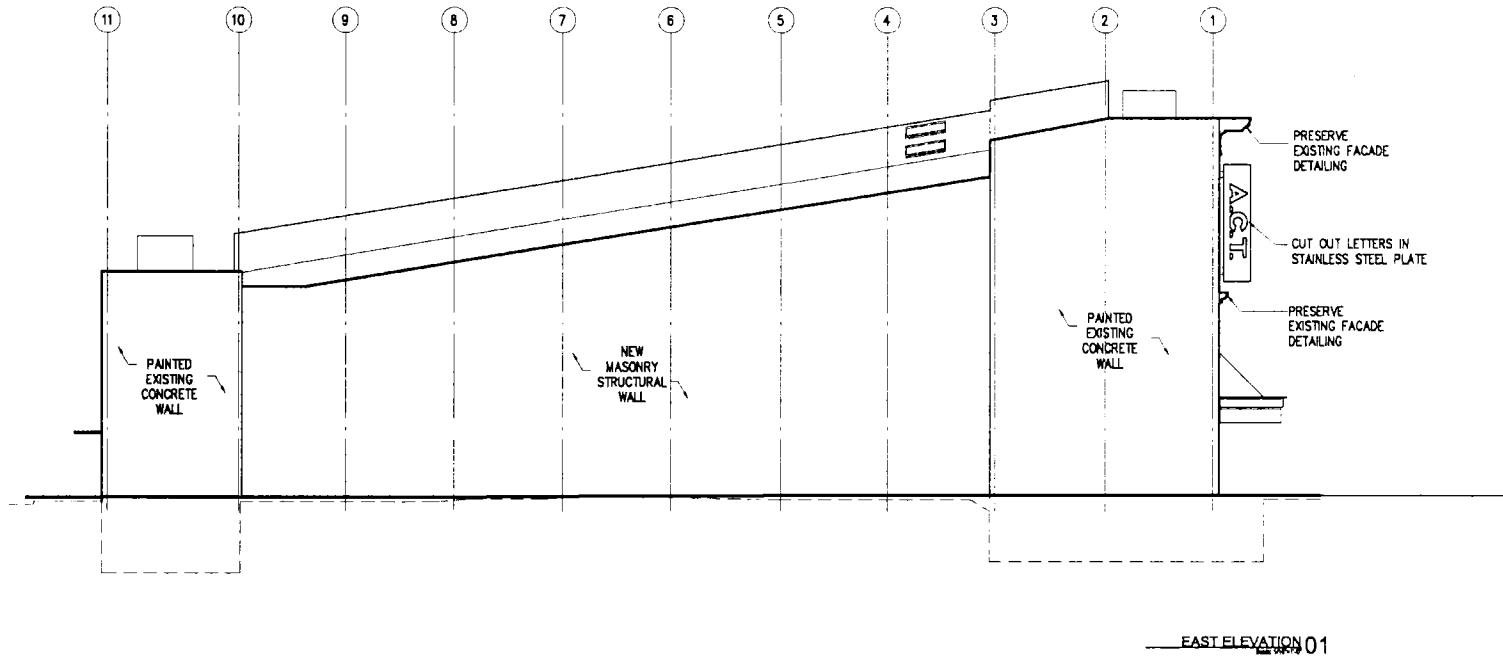
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Job No.	File Name
212085	NORTH & SOUTH ELEV.
Drawn By	Date
TEAM	09/05/2012
Scale	Sheet No.
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A5.1

Figure 8 – Proposed North (Front) and South (Rear) Building Elevations, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



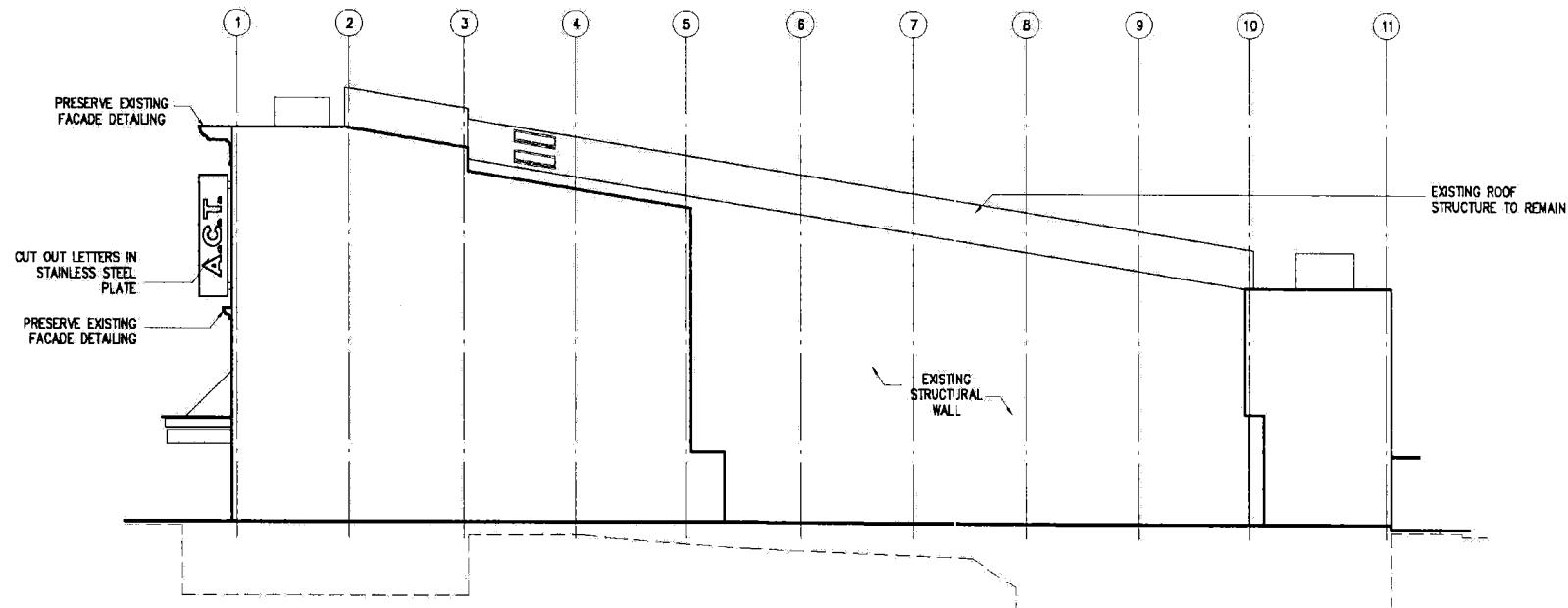
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Job No.	212085	File Name	EAST ELEVATION
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Figure 9 – Proposed East (Right Side) Building Elevation, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



WEST ELEVATION 01

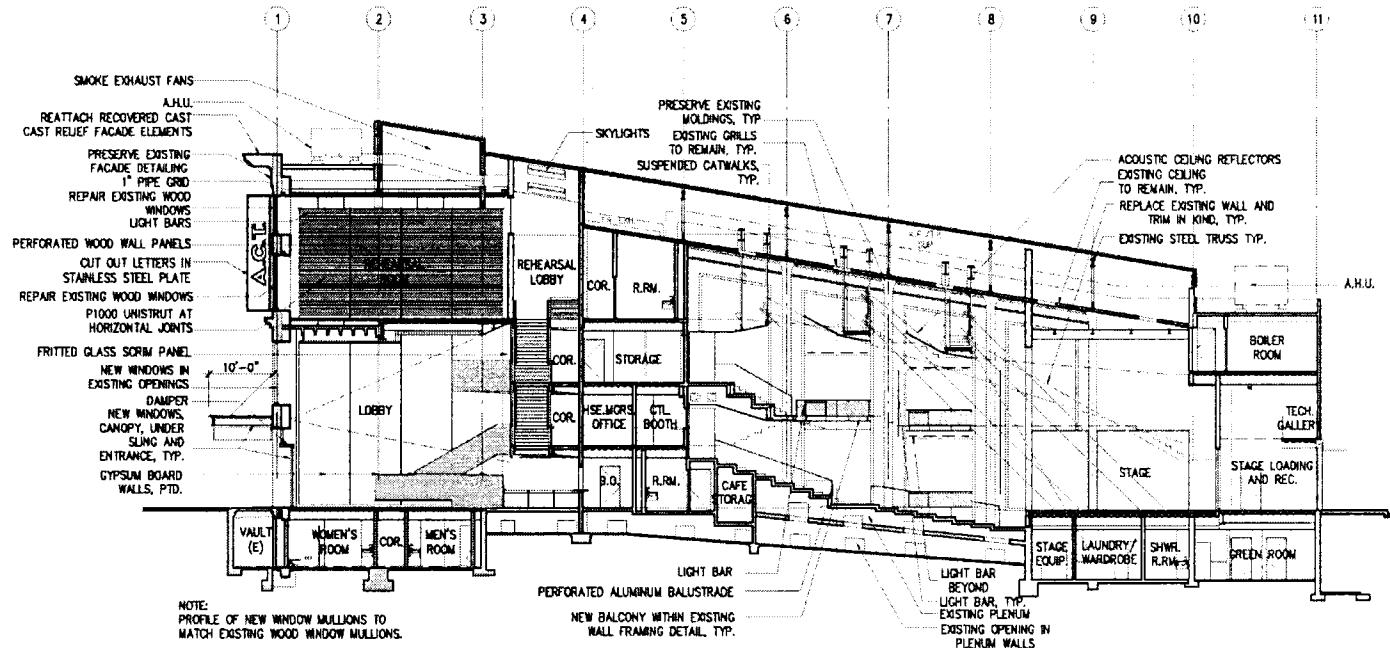
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SEPTEMBER 5, 2012

Job No.	File Name
212085	WEST ELEVATION
Drawn By	TEAM Date
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Scale	Sheet No.
1/16" = 1'-0"	
0' 2' 4' 8' 16'	

A5.3

Figure 10 – Proposed West (Left Side) Building Elevation, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



LONGITUDINAL SECTION 01

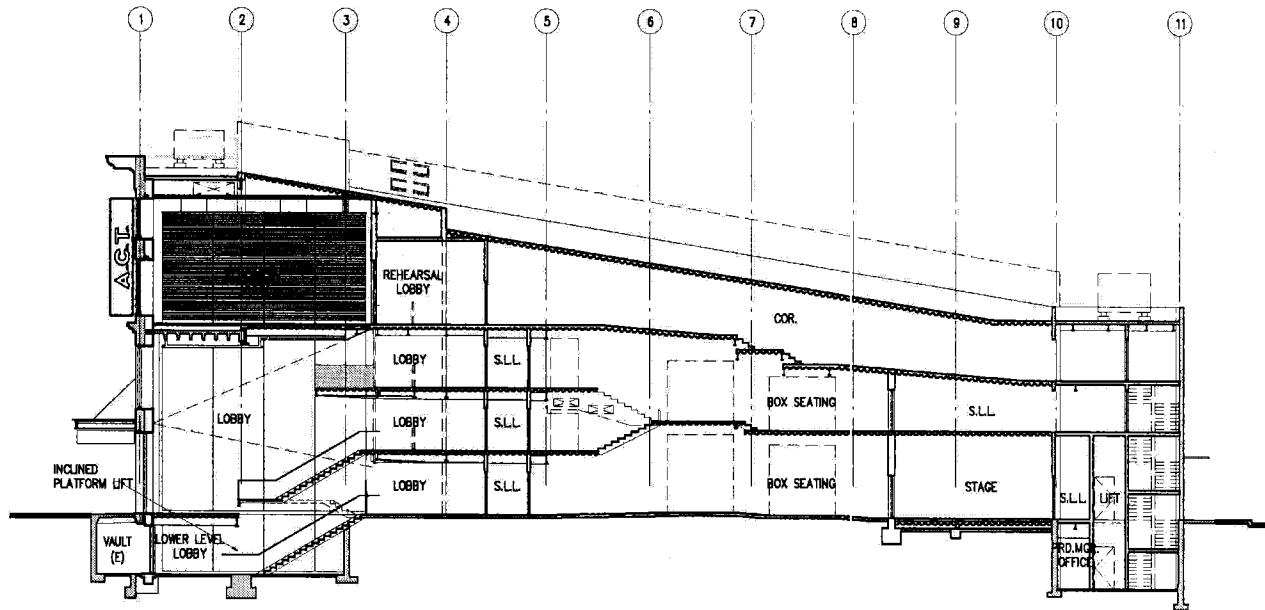
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Job No. 212085 File Name: LONGITUDINAL SECTION
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A5.4

Figure 11 – Longitudinal Section 1, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



EAST SECTION 01

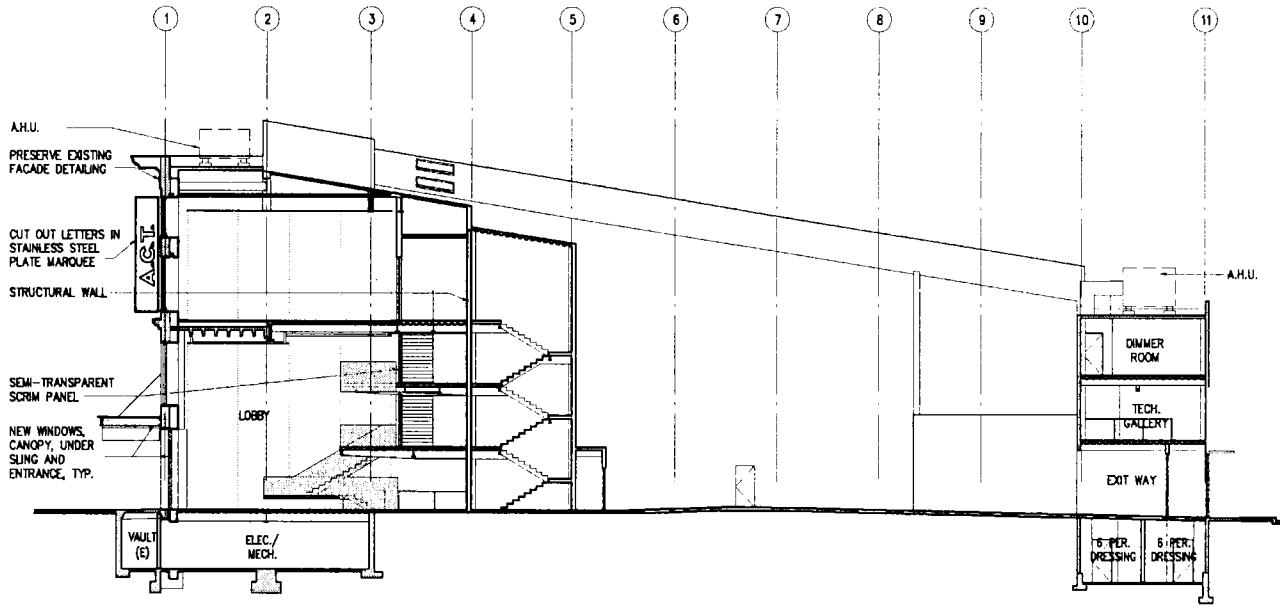
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A5.5

Figure 12 – East Section 1, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



WEST SECTION 01

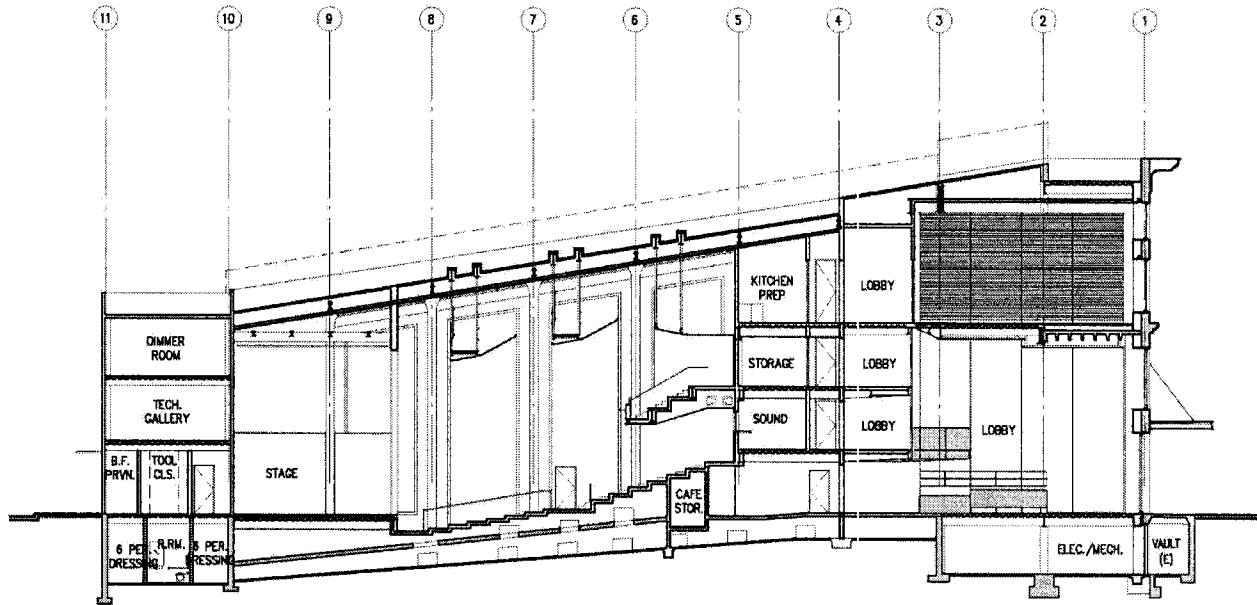
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SEPTEMBER 5, 2012

Job No.	212085	File Name:	WEST SECTION
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Team		Sheet No.	
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A5.6

Figure 13 – West Section 1, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



LONGITUDINAL SECTION 01

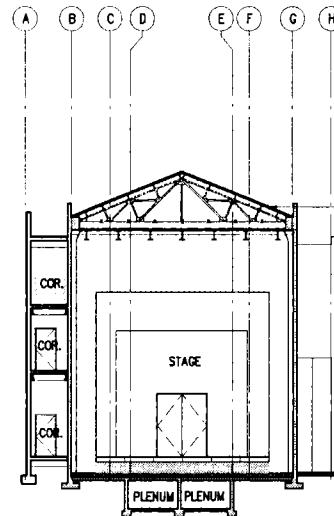
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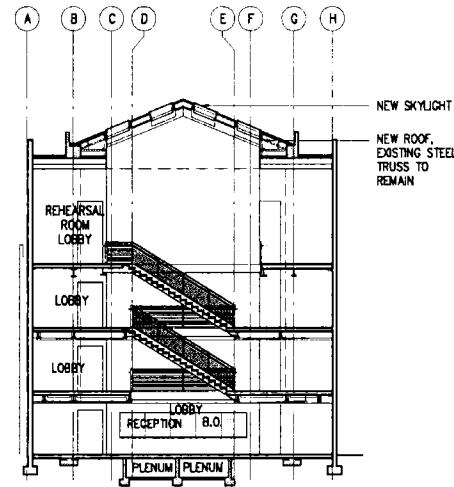
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A5.7

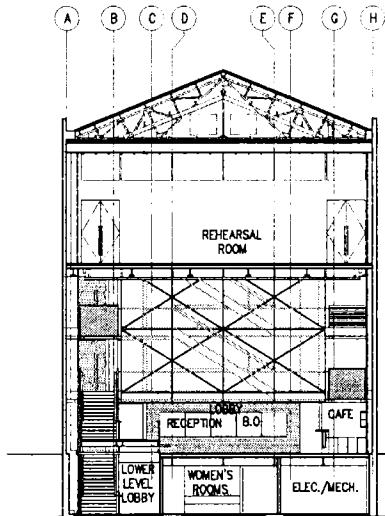
Figure 14 – Longitudinal Section , Source: Skidmore, Owings & Merrill LLP, September 5, 2012



ORCHESTRA SECTION 03



LOBBY STAIR SECTION 02



LOBBY SECTION 01

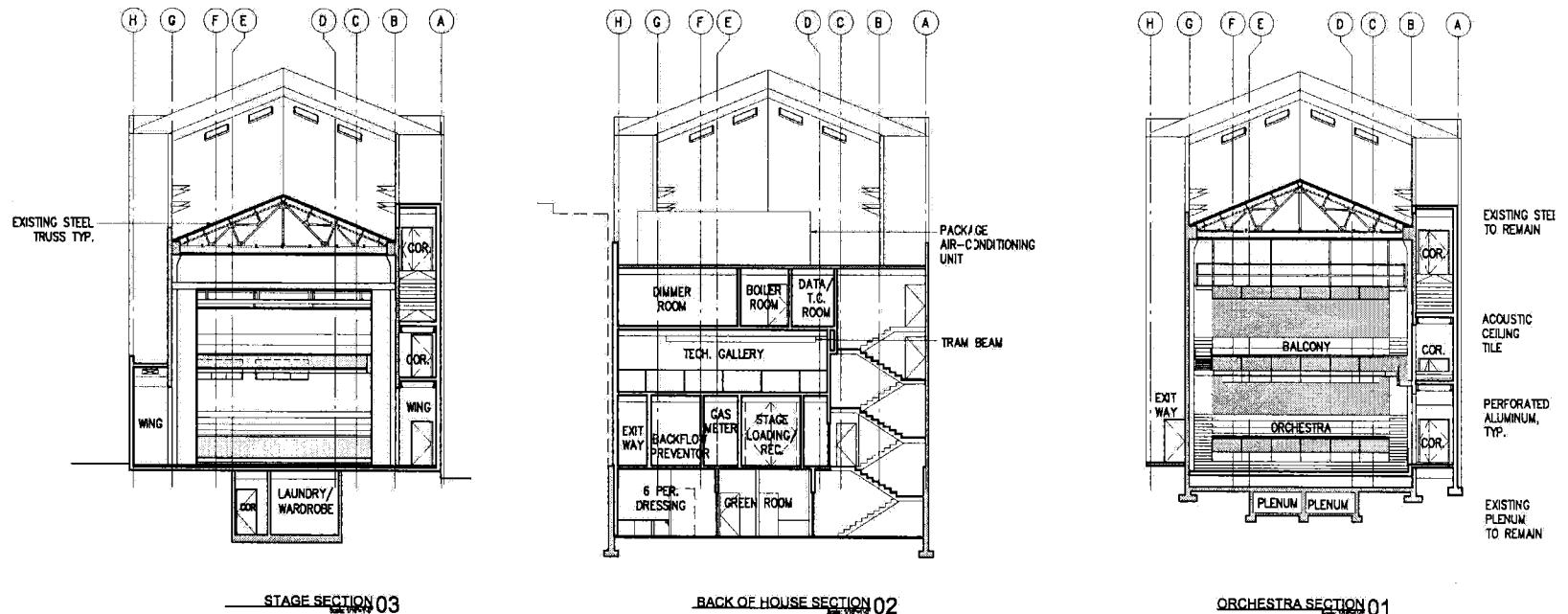
A.C.T. Second Stage Theater
1127 Market Street, San Francisco, CA 94102
Skidmore, Owings & Merrill LLP
San Francisco, California 94111

IN-PROGRESS DESIGN DEVELOPMENT
SEPTEMBER 8, 2012

Job No. 212085 File Name TRANSVERSE SECTIONS
Drawn By TEAM Date 09/05/2012
Scale Sheet No.
0' 2 1/4" - 1' 11 1/2" - 1' 0" - 1' 6" - 1' 0"

A5.8

Figure 15 –Transverse Sections, Source: Skidmore, Owings & Merrill LLP, September 5, 2012



A.C.T. Second Stage Theater
1127 Market Street, San Francisco, CA 94102
Skidmore, Owings & Merrill LLP
San Francisco, California 94111

IN-PROGRESS DESIGN DEVELOPMENT
SEPTEMBER 6, 2012

Job No.	212085	File Name	TRANSVERSE SECTIONS
Drawn By	TEAM	Date	09/05/2012
Scale	1/16 = 1'-0"	Sheet No.	A5.9
0' 2" 4' 8' 16'			

Figure 16 –Transverse Sections, Source: Skidmore, Owings & Merrill LLP, September 5, 2012

B. Project Setting

The project site is located at 1127 Market Street on the south side of Market Street midblock between Seventh and Eighth streets on a block bounded by Market Street to the north, Seventh Street to the east, Mission Street to the south, and Eighth Street to the west, in San Francisco's Mid-Market neighborhood. Land uses in the surrounding neighborhood are primarily civic/institutional and commercial. The parcels immediately adjacent to the site include a three-story commercial building to the west with ground-floor retail and a SRO on the top two floors, a vacant commercially-zoned lot to the east, an approximately 18-story Federal government office building to the south across Stevenson Street, and the UN Plaza, a public plaza, across Market Street to the north of the project site.

Market Street is the primary transportation corridor in San Francisco's Downtown and extends from the Ferry Building at the San Francisco Bay at its northeastern terminus to the Castro District and Upper Market neighborhoods at its southwestern terminus. A study of the public realm improvements along this corridor, the Better Market Street Plan, is underway and would include the project site's Market Street frontage. The project site is near the center of the Market Street corridor in a neighborhood referred to as the Mid-Market Area. The neighborhood has been the focus of a concerted community focus on revitalization resulting in a number of renovation and new construction projects, including the construction of approximately 2,100 new residential units and the relocation of technology companies to several buildings within this area.

The project site is zoned C-3-G (Downtown General Commercial). The Planning Code describes the C-3-G District as ". this district covers the western portions of downtown and is composed of a variety of uses: Retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area. As in the case of other downtown districts, no off-street parking is required for individual commercial buildings. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit." The entire block on which the project site is located is zoned C-3-G with properties on the north side of Market Street on this block designated both C-3-G and P (Public).

The block on which the project site is located encompasses a number of height and bulk district designations. The project site and the other lots on the south side of and fronting on Market Street, with the exception of the Odd Fellows building on the southwest corner of Seventh Street, are all within the 120-X Height and Bulk District. Across Stevenson Street from the project site, the properties are designated 150-S. Other height and bulk designations within this block include 90-X, 180-S, and 240-S. Properties immediately across Market Street from the project site are in the 80-Height and Bulk District.

C. Compatibility with Existing Zoning and Plans

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

San Francisco Planning Code

The *San Francisco Planning Code* (Planning Code), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings, or to alter or demolish existing ones, may not be issued unless the proposed project conforms to the *Planning Code*, an exception is granted pursuant to provisions of the Planning Code, or a reclassification of the site occurs.

Use. The proposed project includes the conversion of a former combination movie theater to a live performance theater. The project site is zoned C-3-G. The Planning Code describes the C-3-G zoning district as follows: "This district covers the western portions of downtown and is composed of a variety of uses: Retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area. As in the case of other downtown districts, no off-street parking is required for individual commercial buildings. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit." The proposed live performance theater would be an entertainment use consistent with the objectives of the C-3-G zoning designation. Theaters, including live performance, are a permitted use in the C-3-G zoning district.

Conditional Use. The proposed project would require a Conditional Use authorization (CU authorization) permit pursuant to Planning Code Section 221.1 to convert the Strand Theater from a movie theater to a live performance theater. The CU authorization is required due to the cessation of the movie theater use, rather than the establishment of the live performance theater use which is a permitted use in the C-3-G zoning district. While the ACT has indicated that the theater renovation has been designed to allow the screening of digital and video productions, it would likely be an incidental use and subordinate to the use of the theater for live performances. The ordinance requiring CU authorization for the conversion of single- and dual-screen movie theaters to other uses was adopted in 2004 as a result of heightened concern over the loss of movie theaters from San Francisco's neighborhoods. The Strand Theater has not been used as a movie theater in

over a decade and all of its projection equipment has been removed. Rather, a new movie theater, the Metreon, at Fourth and Mission streets has subsequently been opened and serves the Mid-Market and South of Market neighborhoods.

Height and Bulk. The proposed project is within the 120-X Height and Bulk District, which permits construction of buildings to a height of 120 feet. The building's existing height is 60 ft as measured at the centerline of the building from the bottom of the front elevation along Market Street to the top of the ridge of the building's gable roof. The proposed project would not increase the height of the building. Exterior changes to the building include new walls to enclose the lightwell on the eastern side and a portion of the lightwell on the western side, as well as changes to the front and rear building facades. The new walls to enclose the lightwell areas would be the same height as the existing side building walls in those locations. The existing sloped gable roof structure would be retained with new sheathing and weatherproofing materials applied to the existing metal roof trusses, along with skylights added in the center of the roof. New mechanical equipment, including two air handlers and an exhaust stack, would be added to the rooftop. None of these changes would increase the overall height of the existing structure. The existing 60 ft. building height complies with the maximum 120-ft height limit for buildings in the 120-X Height and Bulk District and would not change.

Plans and Policies

San Francisco General Plan Priority Planning Policies

The *San Francisco General Plan* (General Plan), which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with General Plan policies that do not relate to physical environmental issues would be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City's Planning Code to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 4a, Cultural

Resources); and (8) protection of open space (Questions 8 a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Space). Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects.

Other Plans and Policies

Environmental plans and policies are those, like the Bay Area Air Quality Plan, that directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

Required Project Approvals

The proposed project would require the following approvals:

- General Plan and Proposition M consistency determination (Planning Code Section 101.1).
- Approval of a Conditional Use authorization pursuant to Planning Code Section 221.1 for the conversion of a movie theater to another use.
- Building permit by the Department of Building Inspection (DBI)
- Encroachment permit from the Division of Street Use and Mapping, within the Department of Public Works (DPW), for approval of the awning and any changes to the basement areas within the public right-of-way.
- Department of Parking and Traffic, within the Municipal Transit Authority, approval for permits for work within the public right-of-way on Market and Stevenson streets.
- A Place of Entertainment permit to operate a live performance theater from the Entertainment Commission.

D. Summary of Environmental Effects

The proposed project could potentially affect the environmental factor(s) checked below. The topic areas that are checked are those in which impacts that could potentially be significant unless mitigated are identified in Section E, Evaluation of Environmental Effects. The following pages present a more detailed checklist and discussion of each environmental factor.

<input type="checkbox"/>	Land Use	<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Biological Resources
<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Geology and Soils
<input type="checkbox"/>	Population and Housing	<input type="checkbox"/>	Wind and Shadow	<input type="checkbox"/>	Hydrology and Water Quality
<input checked="" type="checkbox"/>	Cultural and Paleo. Resources	<input type="checkbox"/>	Recreation	<input checked="" type="checkbox"/>	Hazards/Hazardous Materials
<input checked="" type="checkbox"/>	Transportation and Circulation	<input type="checkbox"/>	Utilities and Service Systems	<input type="checkbox"/>	Mineral/Energy Resources
<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Agricultural and Forest Resources
				<input checked="" type="checkbox"/>	Mandatory Findings of Significance

E. Evaluation of Environmental Effects

All items on the Initial Study Checklist that have been checked "Less Than Significant Impact," "No Impact," or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked "Less Than Significant with Mitigation Incorporated," staff has determined that the proposed project would not have a significant adverse environmental effect provided that the project sponsor implements mitigation measures presented in Section G of this document. A discussion is included for most issues checked "Less Than Significant with Mitigation Incorporated," "Less Than Significant Impact," "No Impact," or "Not Applicable." For all of the items without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department's Transportation Impact Analysis Guidelines for Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
1. Land Use and Land Use Planning					
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project would not physically divide an existing community. (Less than Significant)

The proposed project would involve the renovation and expansion of an existing building in the Mid-Market neighborhood. The use of the building would change from a movie theater to another entertainment use, a 299-seat live performance venue for ACT to be used as its second stage theater for the organization's Master of Fine Arts students and other small theater companies. Additional building area would be added entirely within the existing boundaries of the lot and would not interfere with or change the existing street plan nor impede the passage of persons or vehicles. Therefore, the proposed project would not physically divide an established community, and this impact would be less than significant.

Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted

environmental plan or policy (see Section C. Compatibility with Existing Zoning and Plans, p. 28). Furthermore, the proposed project would not conflict with the General Plan policies that relate to physical environmental issues. Therefore, the proposed project would have a less-than-significant impact with regard to consistency with existing plans, policies, and regulations.

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project's vicinity. (Less than Significant)

Land uses in the vicinity of the site are dominated by civic, institutional, and commercial buildings, as well as outdoor public spaces/ plazas. The proposed project would include the renovation and conversion of the existing movie theater into a live performance theater. The modifications to the building exterior would be conducted in accordance with the *Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Secretary of the Interior's Standards) for historic buildings. The expansion of the building would be accomplished by enlarging the basement and enclosing portions of the western and eastern lightwells, and expanding the upper stories in a portion of the open area above the orchestra seating in order to provide additional space for the support functions needed in a live performance theater. Although the project would increase the area of the theater, the overall number of seats would be reduced from 1,100 to 299 and the additional area would be used to create space, including but not limited to rehearsal and dressing rooms, costume rooms and laundry, and restrooms, as well as a small ground-floor café. This change in the type of theater use and the related changes to the building to accommodate this use would not be substantially or demonstrably incompatible with the existing civic, institutional, and commercial uses in the project area.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The conversion of the former movie theater use would not be considered a significant impact because the new live performance theater would operate within a neighborhood comprised of other art and entertainment uses, such as the Asian Art Museum, the Orpheum and Golden Gate Theaters, the Art Institute of California, and the San Francisco Public Library. Thus, the establishment of this live performance theater would not introduce a new or incompatible land use to the area. The project site is within one-half block of the western boundary of the Market Street Theatre and Loft National Register Historic District. The proposed project would be developed within the existing allowable height and bulk limit of the site, be consistent with the permitted land uses for the site's C-3-G Zoning District, and would include land uses similar to and compatible with other existing and planned uses within the immediate area.

Therefore, the proposed project's impact on the existing character of the project's vicinity would be less than significant.

Impact C-LU: The proposed project, in combination with past, present and reasonably foreseeable future projects in the vicinity of the site, would not have a substantial adverse cumulative impact to land use. (Less than Significant)

Several mixed-use (residential and commercial), office, and general commercial projects are planned or under construction within a two block area surrounding the project site, most notably a project at 1169 Market Street that includes 1,410 residential dwelling units with 20,000 sf of ground-floor retail¹, the ongoing renovation of the former Furniture Exchange Mart for the new Twitter headquarters at 1355 Market Street², and the renovation of a historic office building at 1095 Market Street for a 94-room hotel with restaurant and nightclub.³

The proposed theater use would be anticipated to complement the new entertainment and dining use at the 1095 Market Street project and provide community event/ entertainment services to serve the new residents, hotel patrons, and office tenants at all three of the projects. Given the nature of these projects there is no reason to expect that they would have land use impacts that could combine with the impacts of the proposed project. Further, even if these projects did have land use impacts, the proposed project would not contribute in a cumulatively considerable way to the division of an established community; conflict with plans, policies, and regulations; or change in neighborhood character. Therefore, the project would not result in any significant cumulative land use impacts.

For the reasons described above, land use impacts, both project-specific and cumulative, would be less than significant.

¹ Case 2002.1179, Trinity Plaza at 1169 Market Street

² Cases 2011.0428, 2011.0926, 2012.0502, Twitter offices at Western Furniture Mart

³ Case 2009.1100 1095 Market Street

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
2. Aesthetics					
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A visual quality/aesthetics analysis is somewhat subjective and considers the project in relation to the surrounding visual character, heights and building types of surrounding uses, its potential to obstruct scenic views or vistas, and its potential for light and glare. The proposed project's specific building design would be considered to have a significant adverse environmental effect on visual quality only if it would cause a substantial and demonstrable negative change.

Impact AE-1: The proposed project would not have a substantial adverse effect on scenic views and vistas. (Less than Significant)

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as buildings and structures that direct lines of sight and control view directions available to the public. The view northeast on Market Street, along the project's frontage, is a scenic vista as the historic Ferry Building lies at the northeastern terminus of the view. The front façade of the Strand Theater is an element of the streetscape along Market Street which frames this view. There would be no change to the existing building height, and the renovation of the Strand Theater's historic building façade and construction of a new 10-foot deep front awning with LED sign band would not substantially alter this view.

The proposed project could alter views from UN Plaza; however, the modifications to the building exterior would be in compliance with the Secretary of the Interior's Standards and would not have a significant impact. Additional building area would be constructed below grade in the basement, in the open area above the existing orchestra seating area, and by enclosing the lightwell areas at the sides of the building. The lightwell on the east side would be visible from off-site, particularly from vantage points in UN Plaza. The new four-story high wall that would enclose this seven-foot-wide by 80-foot-long area would be constructed using similar materials and colors to match the existing masonry walls in the front and rear portions of this side elevation to help visually blend the appearance of the new and old walls. This building addition would not disrupt any existing view as the view from UN Plaza is dominated by the 18-story GSA building which serves as a backdrop to the smaller four-story Strand Theater building. Therefore, the project would not substantially alter scenic views or degrade or obstruct any publicly accessible scenic views.

Given the physical extent of the proposed building additions, private views from some nearby buildings would not be substantially affected by the project. Although some reduced private views could be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

The proposed project would therefore, not substantially block or degrade a scenic view or vista. Therefore, there would be a less-than significant impact on scenic views and vistas.

Impact AE-2: The proposed project would not substantially damage any scenic resources. (Less than Significant)

Scenic resources are the visible physical features on a landscape (e.g. land, water, vegetation, animals, structures, or other features). With the exception of two narrow lightwell areas along the side property lines, the existing building covers the project site. There are no trees or other vegetation on the site. The project would make changes to the existing building which is an historic resource in a manner consistent with the Secretary of the Interior's Standards for historic buildings. No changes are planned to any off-site resources. Therefore, the project's impact to any scenic resources would be less than significant.

Impact AE-3: The proposed project would not degrade the visual character or quality of the site and its surroundings. (Less than Significant)

The visual character of the project site and vicinity is that of a heavily-travelled downtown corridor in an area of predominantly civic and institutional uses within high-rise buildings of varying styles. The proposed project includes the renovation of the historic front building façade in compliance

with the Secretary of the Interior's Standards for historic buildings and the construction of a 10-foot-deep front metal and glass awning with LED sign band along the building's Market Street frontage. An exterior addition is planned along the east and west side elevations to enclose portions of the existing lightwells, both of which would have limited visibility and aesthetic impact on the streetscape character. The aesthetic character of the renovated theater would change from a vacant historic structure to a structure with historic facade details with an overall contemporary building style and character. The surrounding buildings are a mix of styles from different eras, including both historic and contemporary styles, and the proposed project would be consistent with this diverse eclectic architecture.

The final architectural design and modifications to the building exterior would undergo further evaluation by the Planning Department through the building permit process, a process separate from the environmental review. A project would have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. The proposed project would not have such a change, and its visual quality impact would be less than significant. For all of the above reasons, the proposed project would not be expected to cause a substantial and demonstrable negative change, or disrupt the existing visual character of the project vicinity.

Impact AE-4: The proposed project would not create a new source of light and glare. (Less than Significant)

The proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The proposed project is an addition to an existing movie theater building and would result in minimal additional sources of light or glare beyond what currently exists. The proposed project would include outdoor lighting typical of other surrounding building uses in the project vicinity. The project would generate minimal additional nighttime lighting as the project site is currently vacant and planned interior digital displays and the exterior LED sign band on the awning would illuminate the area immediately in front of the theater. Because the proposed project would comply with Planning Commission Resolution 9212, and would minimally change the amount of lighting on site, light and glare impacts would not be expected to have a substantial, demonstrable negative aesthetic impact. Based on the above analysis, the project would have a less-than-significant impact associated with light and glare.

Impact C-AE: The proposed project, in combination with past, present, and reasonably foreseeable future development in the vicinity, would not have a substantial adverse cumulative impact on aesthetic resources. (Less than Significant)

Cumulative projects are discussed on p. 35. The two proposed projects at 1355 Market Street and 1095 Market Street involve the renovation and conversion of historic structures in a manner consistent with the Secretary of the Interior's for historic buildings. The proposed project at 1169

Market Street is a mixed-use, residential and commercial project that is replacing 1970's-era high-rise apartment buildings with contemporary high-rise mixed-use buildings. The area is comprised of a mix of contemporary and historic buildings. Given the nature of these projects and their aesthetic context, it is not expected that they would have aesthetic impacts that could combine with the impacts of the proposed project to create a substantial adverse impact on the aesthetics of the area. Further, even if these projects did have impacts related to aesthetics, due to the significantly smaller size of the proposed project, it would not contribute in a cumulatively considerable way to substantially degrade views, damage scenic resources, or degrade the existing visual character of the area.

For the reasons discussed above, the proposed project's impacts related to aesthetics, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
3. Population and Housing					
Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project would not induce substantial population growth in San Francisco, either directly or indirectly. (Less than Significant)

The proposed conversion of the movie theater to a live performance theater and the associated building renovations would not be expected to trigger demand for a substantial increase in residential dwelling units. No residential dwelling units would be added as part of the project, nor would a substantial number of jobs be created by the new theater. The building is located in an urbanized area and the planned renovations of this building would not substantially alter existing

development patterns in the Mid-Market neighborhood, nor would it be expected to induce a substantial amount of growth. In view of the above, the proposed project would not induce substantial growth or displace substantial numbers of people or housing units and would therefore not have a significant adverse effect on population and housing. Therefore, the proposed project would have a less than significant impact on inducing substantial population growth, either directly or indirectly.

Impact PH-2: The proposed project would not displace substantial numbers of people or existing housing units or create demand for additional housing, necessitating the construction of replacement housing. (Less than Significant)

The proposed project would not displace any residences as there are no residential dwelling units within the existing building or on the project site. The increase in employment resulting from the renovation of the theater would result in a temporary additional demand for construction workers, as well as a minimal increase in employees to operate the theater, neither of which would be expected to generate a substantial demand for additional housing. As discussed above, the proposed project would have a less than significant impact on the displacement of substantial numbers of people or housing demand.

Impact C-PH: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial adverse cumulative impact on population and housing. (Less than Significant)

Cumulative projects within the vicinity include 1095, 1169, and 1355 Market Street. Given that the proposed project would not result in substantial growth or displace substantial numbers of people, it is not expected that the proposed project in combination with the cumulative projects would have a population and housing impact. Therefore, the proposed project would not contribute to any cumulative impacts to population and housing, and impacts to population and housing, both project-specific and cumulative, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
4. Cultural and Paleontological Resources					
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CP-1: The proposed project would not result in a substantial adverse change in the significance of historic architectural resources. (Less than Significant)

Historical resources are those properties that meet the terms of the definitions in Section 21084.1 of the CEQA Statute and Section 15064.5 of the CEQA Guidelines. "Historical Resources" include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources, or listed in an adopted local historic register. The term "local historic register" or "local register of historical resources" refers to a list of resources that are officially designated or recognized as historically significant by a local government pursuant to resolution or ordinance. Historical resources also include resources identified as significant in an historical resource survey meeting certain criteria. Additionally, properties which are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered a historical resource. The determination of whether a building may be a historical resource is associated with California Register criteria, which include events (Criterion 1), persons (Criterion 2), architecture (Criterion 3), and information potential (Criterion 4), or if it is determined to contribute to historic district or context. To be a historical resource under CEQA, a property must be shown to be not only significant under California Register criteria, but it also must retain sufficient integrity from the period of significance. A resource that is officially designated or recognized as significant on a local register of historical resources or one that is significant under the Public Resources Code, Section 5024.1(g), also is presumed to be significant under CEQA.

"unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant."

In a Historical Resource Evaluation Response (HRER) memorandum dated September 21, 2012, the Planning Department determined that the Strand Theater is a historical resource as defined by CEQA.⁴ Additionally, the HRER concluded that the building is eligible for listing on the California Register of Historical Resources under Criterion 3 (Architecture) as it is a building that "embodies the distinctive characteristics of a type and period." The theater at 1127 Market appears to be individually eligible as an example of an early 20th century combination theater. The period of significance is 1917, when the theater was constructed, to 1921, the last year it was used as a combination theater with both vaudeville and film projection. While the theater has been remodeled several times, it retains sufficient historic integrity to represent its significance. 1127 Market Street is therefore considered an historical resource for the purposes of review under the California Environmental Quality Act (CEQA).

Built in 1917 the building was designed to accommodate both motion pictures and stage performances, although the focus of the theater was on the motion picture. The theater was built during the transition from vaudeville theaters and nickelodeons to movie palaces and is typical of the transitional theaters built during this period. Distinct from the earlier nickelodeons and the later movie palaces, these combination theaters were more subdued and sought to combine the features of early 20th century vaudeville theaters with the style of the surrounding commercial district. The period of significance stretches from the date of construction in 1917 as the Jewel Theater to its conversion to the Francesca Theater in 1921. At this time, the vaudeville stage performance function ended and the interior was completely renovated for the first time. As an example of a combination house, 1127 Market Street differs from the later movie palaces on Market Street. The theater at 1127 Market Street predates these theaters and was influenced by the earlier vaudeville theaters, store front nickelodeons, and the architecture of the surrounding area rather than the "architecture of fantasy" prevalent in the 1920s-era movie palaces. Furthermore, the theater at 1127 Market Street appears to be an excellent example of a combination house in the San Francisco's Downtown area. It continues to feature characteristics of the type, including a lobby and open auditorium with a stage and remnants of film projection capabilities. While several Market Street theaters that predated or were contemporaneous with the construction of 1127 Market Street are still extant, these theaters have been substantially altered. These include 937 Market Street, 965 Market Street, 980 Market Street, and 1077 Market Street. Thus, the Strand Theater at 1127 Market Street appears individually eligible under Criterion 3.

⁴ Historic Resource Evaluation Response Memorandum for 1127 Market Street from Gretchen Hilyard, Preservation Planner, to Heidi Kline, Environmental Planning, September 21, 2012. A copy of this memorandum is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File no. 2012.0370E.

Table 4 below outlines the building's character-defining features that date from the period of significance (1917-1921) and the proposed treatment of those features.

Table 1 Character-Defining Features

Exterior/ Interior	Feature/Material	Retain in Place, Replace with New, or Demolish?
Exterior	Steel frame and concrete structure	Retain in place
	Four story massing	Retain in place
	Three-bay division of primary façade	Retain in place
	Scored concrete/plaster wall cladding on the primary façade	Retain in place
	Sheet metal intermediate cornice	Retain in place
	Fiber-reinforced Polymer terminating cornice	Retain in place
	Cast masonry (possibly terra cotta) panel ornamentation	Retain in place
	Multi-light wood sash windows on the third and fourth floors of the primary façade	Retain in place
	Metal door to breezeway at west end of ground floor	Demolish, replace with new storefront.
	Rectangular plan divided into principal spaces of lobby and auditorium	Retain in place
Interior	Staircase from lobby to balcony	Demolish, replace with new version of feature in different location. Existing stair will be commemorated with an outline in the new floor.
	Raked auditorium floor	Install new floor with slightly modified rake.
	Stage with musical accompaniment pit	Stage: Demolish, replace with new version of feature in same general location; Pit: demolish
	Balcony	Demolish, replace with new version of feature in same general location
	Open volume of auditorium	Retain in place
	Vertical wall pilasters	Retain in place
	Coved ceiling molding	Retain in place
	Decorative metal air grilles and plaster ceiling	Retain in place

The project sponsor has agreed to have a materials conservation consultant evaluate the existing condition of the historic materials on the front (north) façade and in the auditorium. The consultant would prepare a repair and rehabilitation plan for the exterior and provide specifications for the treatment of historic materials on the interior. A protection plan would be provided to the Planning Department prior to approval of any building permit application to ensure the sensitive treatment of historic materials during construction.

The project sponsor also agreed to install an on-site interpretive display in a publicly-accessible location in the building's lobby. The format and medium of the display have not yet been determined, but the project sponsor would work with a historic preservation consultant to ensure that the historical information provided in the Historic Resource Evaluation is used as a basis for the interpretive display. This information would be included in the project's construction documents and presented to the Planning Department for review and approval prior to submittal of a permit package.

The Secretary of the Interior's Standards offers four sets of standards to guide the treatment of historic properties: Preservation, Rehabilitation, Restoration, and Reconstruction. Typically, one set of standards is chosen for a project. The project sponsor has selected the Standards for Rehabilitation which "acknowledge the need to alter or add to a historic building to meet continuing new uses while retaining the building's historic character."

In the HRER response, the Department's Preservation staff has determined that the project substantially complies with the ten Rehabilitation Standards in the Secretary of the Interior's Standards for Rehabilitation and that the proposed project would not affect the eligibility of 1127 Market Street for listing in any local, state, or national historical registers. According to Section 15126.4(b)(1) of the Public Resources Code (CEQA), if a project complies with the Secretary of Interior's Standards, the project's impact "will generally be considered mitigated below a level of significance and thus is not significant." Because the proposed project at 1127 Market Street complies with the *Secretary's Standards*, it does not appear to cause a significant adverse impact under CEQA.

Impact CP-2: The proposed project could result in damage to, or destruction of, as-yet unknown archeological remains, should such remains exist beneath the project site. (Less than Significant with Mitigation)

Factors considered in determining the potential for encountering archeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. Development of the proposed project would require excavation to depths of approximately 19 ft below ground surface (bgs) and removal of 300 cubic yards to enlarge the extent of the basement, as well as the installation of micropiles to upgrade the building

foundation with the portion of the project site within the San Francisco Bay Area Rapid Transit District's (BART) Zone of Influence (ZOI). The ZOI is an area with special construction requirements for excavation and structural design to minimize impacts on BART's subway and underground stations along Market Street. Due to the planned micropile and excavation work, there is a potential to encounter CEQA-significant archeological resources within the project-affected soils.

In a memorandum dated September 20, 2012,⁵ the Planning Department staff determined that there is a reasonable potential that archeological resources may be present within the project site as the project is within an area which has a high degree of archeological sensitivity for prehistoric deposits. To the southwest of the site is the National Register-eligible prehistoric shell midden district consisting of several Late Holocene period shell mounds with possibly ancillary occupation and workshop sites. To the northwest on Market Street is the only Middle Holocene prehistoric site recorded to date which was discovered 75 ft below existing grade. Commonly the prehistoric shell midden sites have been found within native sand dune deposits or beginning at their base or on the lens of denser sand. According to the City's draft General Plan Preservation Element, even disturbed or secondarily deposited prehistoric midden is to be presumed to be significant for information, and under CEQA, legally-significant, until demonstrated to the contrary. In order to reduce the potential impact on archeological resources to less than significant, the project sponsor has agreed to implement mitigation measure M-CP-2. Therefore, the impact to archeological resources would be less than significant with implementation of mitigation measure M-CP-2.

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on any archeological resources as defined in CEQA Guidelines Section 15064.5(a)(c) and when implemented by the project sponsor would reduce the impact to less than significant.

Mitigation Measure M-CP-2: Archeology Resources (Monitoring)

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO.

⁵ Memorandum from Randall Dean/Don Lewis, San Francisco Planning Department to Heidi Kline, San Francisco Planning Department, September 20, 2012. A copy of this memorandum is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File no. 2012.0370E.

Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

Consultation with Descendant Communities: On discovery of an archeological site⁶ associated with descendant Native Americans or the Overseas Chinese an appropriate representative⁷ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

⁶ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁷ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD

of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Impact CP-3: The proposed project may indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant with Mitigation)

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. Paleontological resources, or fossils, are the remains, imprints, or traces of once-living organisms preserved in rocks and sediments. Paleontological resources include vertebrate, invertebrate, and plant fossils or the trace or imprint of such fossils. The fossil record is the only evidence that life on earth has existed for more than 3.6 billion years. Fossils are considered nonrenewable resources because the organisms from which they derive no longer exist. Thus, once destroyed, a fossil can never be replaced. Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous include sedimentary and volcanic formations.

The project site is generally underlain by dense sand and is within the BART ZOI requiring special construction measures to minimize any potential load-bearing activities on the underground subway system. An excavation depth of 19 ft is anticipated for the shallower excavations, and deeper micropiles are planned for within the ZOI. Both the installation of the micropiles and project excavation has the potential to adversely impact paleontological. With implementation of mitigation measure MM-CP-2, the impact on paleontological resources during construction would be mitigated. Therefore, the proposed project would have less than significant impacts on paleontological resources or geological features with implementation of the mitigation.

Impact CP-4: The proposed project may disturb human remains. (Less than Significant with Mitigation)

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project

becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco (CCSF) Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (PRC Section 5097.98).

The project site has not been identified as a site with potential Native American burials. As such the project is not anticipated to disturb any human remains, including Native American burials. Nonetheless, mitigation measure M-CP-2, specified above, contains language to ensure the sound handling of any encountered human remains. Therefore, with implementation of the above mitigation measure, the project would have a less than significant impact on the disturbance of human remains.

Impact CP-C: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not result in cumulative impacts to cultural resources. (Less than Significant)

The Strand Theater was constructed in 1917, and is considered a historic resource. While the project site is not within the boundaries of a designated or potential historic district, it is located adjacent to both the National Register-listed Civic Center Historic District to the north and the National Register-listed Market Street Theatre and Loft Historic District to the east. Active projects in the area which are proposing alterations to historic structure include the Twitter headquarters at 1355 Market Street, the Hibernia Bank at 1 Jones Street, and the hotel/ entertainment project at 1095 Market Street. The renovations for all of these projects are being done in accordance with the Secretary of the Interior's Standards. Therefore, the proposed project and other cumulative projects would not have a significant impact on a historic district or off-site historical resource.

Given the above, it is not expected that the proposed project in combination with other cumulative projects would have historic impacts that would contribute in a cumulatively considerable way to any substantial adverse effect to historical resources. Therefore impacts to historic architectural resources are less than significant and the proposed project would not result in cumulative impacts to historic architectural resources.

Demolition and excavation activities on the project site have the potential to affect archeological resources. However, impacts to archeological resources are reduced to a less-than-significant level with implementation of Mitigation Measures M-CP-2, as discussed above. Any future projects in

the project vicinity would also be subject to guidelines similar to mitigation measure M-CP-2. Implementation of mitigation measure M-CP-2, would reduce potential project-related impacts to archeological resources, individually and cumulatively, to less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
5. Transportation and Circulation					
Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, checklist item 5c is not applicable.

Setting

The project site is located in the Mid-Market neighborhood in the Downtown area midblock between Seventh and Eighth streets on the block bounded by Market Street to the north, Seventh Street to the east, Mission Street to the south, and Eighth Street to the west. The San Francisco Vehicular Street Map⁸, consistent with both the Congestion Management Program (CMP)⁹ and Metropolitan Transportation System Networks¹⁰ designates Market and Mission streets as transit conflict streets and Seventh and Eighth streets as major arterials. Transit conflict streets are those with a primary transit function which are not classified as major arterials but experience significant conflicts with automobile traffic. Major arterials are designated cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways. These are routes generally of citywide significance and varying capacity depending on the travel demand for the specific direction and adjacent land uses.

Both Market and Mission streets are also designated as Primary Transit Streets on the City's Transit Preferential Streets map which specifies that the emphasis should be on moving transit vehicles on these streets and any impacts on automobile traffic should be of secondary concern.

The project's front entrance is on Market Street which is a fully-improved four-lane roadway with two mixed-flow lanes in the westbound direction and one mixed-flow lane and one transit-only lane in the eastbound direction. No parking is provided along either side of the street though a loading bay is located on the south side of the street, several hundred feet to the west of the project site. A bus zone is located partially along the frontage of the project site and a Muni Historic Streetcar boarding platform is located immediately east of the project site, between the eastbound transit-only and mixed-flow lanes. Stevenson Street is a midblock service alley located along the rear of the property. This service alley connects to Seventh Street on the east and to Angelo's Alley on the west and is used predominantly as a service road for deliveries, emergency vehicle access to the rear of the adjacent buildings, and as an entrance to a private-owned parking garage (open to the public). Stevenson Street has a 55 ft right-of-way width with a parking lane on its north side and two mixed-flow lanes. The project site has no vehicular access or off-street parking from either Market or Stevenson streets.

Muni bus routes within two blocks of the project site include the 5 Fulton, 6 Parnassus, 9 San Bruno, 14 Mission/ 14L Mission Limited/ 14X Mission Express, 16X Noriega Express, 19 Polk, 21 Hayes, and 71 Haight/ 71L Haight Limited. The Muni Historic Streetcar F Wharves line runs on this portion of Market Street. The Civic Center Muni Metro and BART Stations, with aboveground entrances to the underground stations and boarding platforms, are located on this block of Market

⁸ San Francisco General Plan, Transportation Element- Map 6, Adopted July 1995.

⁹ San Francisco General Plan, Transportation Element- Map 7, Adopted July 1995.

¹⁰ San Francisco General Plan, Transportation Element- Map 8, Adopted July 1995.

Street and provide access to light rail vehicle lines J Church, K Ingleside, L Taraval, M Ocean View, N Judah, and T Third Street and regional BART service to Pittsburg/ Bay Point, Richmond, Dublin/Pleasanton, Daly City, and SFO/Milbrae. Additionally, both Golden Gate Transit and San Mateo County operate bus service within two blocks of the project site. Designated bicycle lanes near the project site are located on Seventh, Eighth, Market (from Eighth Street to the west), and Howard streets and bicycle routes (not a designated bicycle lane) are located along Market (to the east of Eighth Street), McAllister, and Larkin streets.

Impact TR-1: The proposed project would conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or would conflict with an applicable congestion management program. (Less than Significant with Mitigation)

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect the transportation system.” To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section analyzes the proposed project’s effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts.

Trip Generation

The proposed project involves the renovation and conversion of the existing 12,310 sf movie theater to a 299-seat live theater with support spaces and a ground-floor café. An additional 8,863 sf of floor area would be added to the existing building by expanding the basement and upper floors. The former movie theater had approximately 1,100 seats. The proposed live performance theater would have significantly less seats, 299 total seats, accommodating smaller audiences. The additional building area would be added to house support areas necessary for a live performance venue, i.e. rehearsal rooms, costume and dressing rooms, box office, green room, lobby, and café.

Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (“SF Guidelines”) developed by the San Francisco Planning Department¹¹. The Guidelines refer to the Institute of Transportation Engineers (ITE) Trip Generation Manuel, 8th Edition. The ITE provides trip generation rates for movie theaters based on number of seats and by square-feet of building area. In

¹¹ Heidi Kline, San Francisco Planning Department, Transportation Calculations, April 17, 2012. These calculations are available for review as part of Case File No. 2012.0370E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

order to facilitate a direct comparison between the two different types of theater uses, trip generation rates by number of seats were used for both uses.

The estimated trip generation rate during the PM peak hour by the two different theater uses, movie theater without matinee (Land Use 443) versus live performance (Land Use 441), is the same (.02 trips per seat). Movie theaters with matinee shows (Land Use 444) have a significantly higher trip generation rate of 0.27 trips per seat as a matinee showing would result in patrons leaving the theater after a performance during the PM peak hour. Based on the project's proposed 299-seats for the live performance theater, a total of 6 PM peak hour trips would be expected to be generated during the PM peak hour. Rather, an 1,100-seat movie theater without matinee shows would generate 22 PM peak hour trips and a similarly sized movie theater with matinees would be anticipated to generate 297 PM peak hour trips. While matinee performances are anticipated at the proposed live performance theater on Wednesday, Saturday, and Sunday, the approximately 60% reduction in the number of seats would result in the new use of the building generating substantially less trips than the previous use. Furthermore, the majority of trips would occur outside the PM peak hour which is the critical time period.

Parking

Section 150(c)(1) of the Planning Code states that off-street parking spaces need be provided only in the case of a major addition to a structure or use, and only in the quantity required for the major addition itself. Any lawful deficiency in off-street parking or loading spaces existing on such effective date may be carried forward for the structure or use, apart from such major addition. The Planning Code requires one parking space per every eight seats up to 1,000 seats and one for each ten seats exceeding 1,000. As the proposed project would reduce the number of seats in the theater, no additional parking demand would be generated nor would the Planning Code require any parking spaces be added. Therefore, the project site would be in compliance with the parking requirements in the Planning Code.

Loading

No off-street loading spaces would be provided for the proposed project, and none are required in the Planning Code for buildings in the C-3-G District that have a gross square-footage of less than 100,000 sf. The project sponsor has indicated that set and other service deliveries could be met at the rear of the existing building on Stevenson Street, though a front loading zone along Market Street would be desired. Stevenson Street is currently a dead-end as its connection to Angelo's Alley, a private street, is gated and available only for delivery vehicles exiting that private street. Stevenson Street is a two-way street with one lane in each direction and a parking lane on its north side, along the rear of the project site. Market Street has two mixed-flow lanes in both directions along the theater's frontage. In the eastbound direction, a bus zone is located along the project's frontage as is the transition area to the boarding platform for the eastbound Muni Historic Streetcar

line. The Better Market Street Plan currently being studied preliminarily looks to minimizing the number of drop-off and loading zones along Market Street to minimize conflicts with transit. Though not legally permitted, private delivery vehicles often park on the wide Market Street sidewalk for deliveries to buildings along this street as the designated loading bays along Market are often used for longer-term parking and not available to delivery vehicles. Establishing a loading zone in front of the Strand Theater, would create a significant impact on transit operations. Therefore, to minimize conflict with transit and vehicle traffic along Market Street, no loading zone should be established nor should deliveries be made through the front of the building from delivery vehicles illegally parked along Market Street. To minimize these potential impacts to transit, deliveries should be made to the rear of the building. To ensure space is made available for such deliveries, a loading zone should be designated to serve the facility. Therefore, with implementation of the following mitigation measure, the impact from loading for the project site would be reduced to less-than-significant with implementation of MM-TR-1.

Mitigation Measure MM-TR-1: Loading and Deliveries

- All deliveries and loading for the building shall be conducted through the doors and service corridor at the rear of the building, rather than through the front of the building, in order to minimize potential conflicts with transit operations and pedestrian circulation on Market Street. The theater operator shall develop a plan to disseminate information concerning the requirement for rear deliveries to its suppliers and on-site personnel and shall be responsible for ensuring compliance. Additionally, the theater operator shall be responsible for applying for the necessary permit from the San Francisco Municipal Transportation Agency for a loading zone at the rear of its building prior to final occupancy of the structure.

Construction Impacts

Construction activities would include daily vehicle trips generated by the arrival and departure of construction workers. Workers would commute to the construction site each day for approximately 12 months for the planned construction. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. Construction traffic would use Seventh Street to Stevenson Street. Construction activities associated with the proposed project are not anticipated to result in substantial impacts on the City's transportation network. Construction material staging and storage are anticipated to occur on the adjacent vacant lot immediately to the east of the project site.

However, as required, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during

construction of the proposed project. TASC consists of representatives from the San Francisco Fire Department (SFFD), San Francisco Police Department (SFPD), SFMTA Traffic Engineering Division, and Department of Public Works (DPW), which provides recommendations on construction projects that impact the public right-of-way. Thus, impacts related to an applicable transportation circulation system plan or policy would be less than significant, and the project would not conflict with any applicable congestion management program

Therefore, construction-related impacts would be less than significant.

Impact TR-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses. (Less than Significant)

The project site is located on a developed block of San Francisco. The proposed project would result in the renovation and conversion of an existing building within the existing lot. There are no project features that would substantially increase traffic-related hazards. In addition, as discussed in Section F.1, Land Use and Land Use Planning, the project does not include incompatible uses. Therefore, transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)

Emergency access would remain unchanged from existing conditions. Emergency vehicles would continue to access the site from Market and Stevenson streets. The proposed project would not inhibit emergency access to the project site. The proposed project would not be expected to affect emergency response times or access to other sites. Therefore, the project would have a less than significant impact on emergency access to the project site or any surrounding sites.

Impact TR-4: The proposed project would conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant with Mitigation)

Transit Conditions

The project site is served by a number of public transit systems. SFMTA's Muni bus routes within two blocks of the project site include the 5 Fulton, 6 Parnassus, 9 San Bruno, 14 Mission/ 14L Mission Limited/ 14X Mission Express, 16X Noriega Express, 19 Polk, 21 Hayes, and 71 Haight/ 71L Haight Limited. The Muni Historic Streetcar F Wharves line runs on this portion of Market Street. The Civic Center Muni Metro and BART Stations, with aboveground entrances, are located on this block of Market Street and provide access to light rail vehicle lines J Church, K Ingleside , L Taraval, M Ocean View, N Judah, and T Third Street and regional BART service to Pittsburg/ Bay

Point, Richmond, Dublin/Pleasanton, Daly City, and SFO/Milbrae. Additionally, both Golden Gate Transit and San Mateo County operate bus service within two blocks of the project site.

The increase in transit demand associated with the project would not noticeably affect transit services in the area or affect acceptable transit operations due to the majority of trips occurring during off-peak hours and the anticipated dispersion of the project's transit trips onto the various transit systems and individual routes, all equal distance from the project site. The entrance to the Civic Center underground subway station serving both the regional BART system and the Muni Metro rail system is within 100 ft of the theater entrance. Further, stops for both the SFMTA's Historic Streetcar line and bus routes are also within 100 ft of the theater.

Implementation of mitigation measure M-TR-1 would prevent loading and delivery vehicles serving the theater from blocking and interfering with transit operations along the project's Market Street frontage by requiring that these activities occur at the rear of the property, from a loading zone along Stevenson Street.

It should be noted that transit-related policies include both the discouragement of commuter automobiles (Planning Code Section 101.1, established by Proposition M, the Accountable Planning Initiative); and the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project would not conflict with transit operations as discussed above or conflict with the transit-related policies established by Proposition M or the City's Transit First Policies. In support of the Transit First policy, eastbound traffic on Market Street is required to make a forced right turn at Tenth Street and again at Sixth Street in order to reduce the number of private automobiles that use this portion of the street, thereby improving transit, bicycle, and pedestrian circulation in the area.

With implementation of M-TR-1, the impacts to transit would be less than significant.

Bicycle Conditions

Within a two-block area surrounding the project site there are bicycle lanes on Seventh, Eighth, Market (from Eighth Street to the west), and Howard streets and bicycle routes (not a designated bicycle lane) along Market (to the east of Eighth Street), McAllister, and Larkin streets. These lanes and routes are interconnected to the Citywide Bicycle Network and provide access to and from the project site from locations throughout the City. Any increase in traffic generated by the project would not be substantial enough to affect bicycle travel in the area, and project impacts on bicycles would be less than significant.

Pedestrian Conditions

Pedestrian conditions in the vicinity of the project, on both sidewalks and crosswalks, were observed to be operating at acceptable levels of service. With implementation of mitigation measure M-TR-1, the project is not expected to substantially change the existing pedestrian conditions because loading and deliveries would not be permitted at the front of the theater. Therefore, the project's loading and delivery activities would not result in significant adverse impacts to pedestrian circulation with implementation of this mitigation measure as loading and delivery activities would be required to occur at the rear of the building along Stevenson Street.

Impact C-TR: The proposed project in combination of past, present, and reasonably foreseeable future projects would not result in substantial cumulative transportation impacts. (Less than Significant)

Construction of the proposed project would likely overlap with construction of other projects on Market Street resulting in a temporary increase in construction-related traffic on surrounding streets. The combined construction impacts would not be significant because they are temporary and would not result in permanent, cumulatively considerable transportation impacts. The operation of the proposed project would not result in a significant increase in trips to the project site, and given the predominantly evening performance times, most of these trips would occur outside the PM peak hour. Therefore, the project would not contribute significantly to cumulative conditions, and would not have any significant cumulative traffic impacts.

For the reasons discussed above, the proposed project's impacts related to transportation, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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6. Noise

Would the project:

- a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable.

Ambient noise levels in the vicinity of the project site are typical of noise levels in the Downtown area of San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, periodic temporary construction-related noise from nearby development, and street maintenance. Based on the citywide modeling of traffic noise volumes conducted by the San Francisco Department of Public Health (DPH),¹² the project site has an ambient noise level over 70 dBA along the front of the building due to noise from Market Street. Due to the vacant lot immediately to the east, the eastern side of the building is not shielded by an adjacent building and noise levels along this side of the building are greater than along the shielded western side of the building. Noise levels along this eastern elevation range from 60 to 65 dBA, and the rear area along Stevenson Street would be exposed to levels below 60 dBA. The proposed project does not include the siting of any new residential units or other sensitive receptors as theater are not categorized as such. However, the existing SRO has sleeping rooms in the building immediately to the west of the project site.

Site-specific noise levels were taken by acoustical engineering firm, Charles Salter Associates¹³ for a 48-hour period from midday Tuesday, September 11, 2012 through midday Thursday, September

¹² Traffic noise map presented on DPH website: <http://www.sfdph.org/dph/EN/Noise/default.asp>

¹³ Thomas Schindler, Charles Salter Associates. Memorandum – ACT Second Stage – Property-Line Noise Considerations. September 13, 2012

13, 2012. The monitoring equipment was placed on the roof at the rear of the building at the location of the largest roof-mounted air handling unit to obtain ambient noise levels at the location which is anticipated to be the greatest noise source generated by the operation of the theater.

Impact NO-1: The proposed project would result in a substantial permanent increase in ambient noise levels in the project vicinity or exposure of persons to or generation of noise levels or in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (Less than Significant with Mitigation)

The proposed project would not include new sensitive receptors (sleeping quarters) to the project site. However, the proposed renovation would include the installation of new roof-mounted mechanical equipment for forced air ventilation and cooling within the building which would produce operational noise. Additionally, the performances and any musical accompaniment would generate operational noise within the existing structure. The closest sensitive receptors are the sleeping quarters in the SRO in the building adjacent to the west side of the theater.

San Francisco Noise Ordinance¹⁴ (Noise Ordinance) regulates noise generated within the City. The operation of the theater would require a place of entertainment permit from the San Francisco Entertainment Commission. Places of entertainment are subject to special limits on the noise from entertainment using a C-weighted basis (dBc) to account for low frequency sound generated by music that the more common A-weighted (dBA) measurement would deemphasize due to the nature of frequency weighting.

Generally, the noise levels generated by non-entertainment commercial properties is from mechanical sources, such as air chillers and handlers. Commercial uses are limited by ordinance to a maximum increase of 8 dBA measured at the property line over the ambient noise level which is the lowest repeating level over a 10-minute period. Additionally, the Noise Ordinance requires that sleeping quarters without closed window ventilation systems be subject to a maximum 45 dBA during the evening hours.

In an assessment from Charles Salter Associates¹⁵ it was anticipated that due to the planned extensive building renovations and the nature of the live performances, that the noise from the performances would not exceed the ordinance requirements, both the C-weighted and A-weighted maximums, at the property plane. Rather, the proximity of the roof-mounted equipment to the adjacent sensitive receptors in the adjacent building would have the potential to exceed either the 45 dBA limit for residential sleeping quarters or the 8 dBA maximum increase for commercial

¹⁴ The San Francisco Noise Ordinance is Article 29, Section 2909 of the San Francisco Police Code.

¹⁵ Heidi Kline. Notes of Phone Conversation with Thomas Schindler, Charles Salter Associates. September 14, 2012.

establishments. However, measures, such as attenuation filters on the air handler units, roof screens, and directional stacks, would need to be incorporated in the project design to address this noise source and reduce it to levels in compliance with the ordinance.

Vehicular traffic makes the greatest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic must double in volume to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project is located along a transit-preferential street and no on-site parking is proposed. It's anticipated that the majority of theater patrons would utilize public transit rather than private vehicles. Therefore, only minimal additional vehicle trips are anticipated as a result of the operation of the theater.

Noise impacts related to building operations would impact sensitive receptors. However, with implementation of the following mitigation measure, M-NO-1, this potential impact would be reduced to less than significant.

Mitigation Measure M-NO-1: Reduction of Building Operation Noise

The project sponsor shall submit a detailed acoustical analysis of the noise that would be generated by the operation of the proposed entertainment use and building mechanical equipment for the Strand Theater and planned attenuation measures demonstrating the project's compliance with the requirements of the San Francisco Noise Ordinance to the Planning Department for review and approval prior to the issuance of a building permit for the project.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less than significant impact. (Less than Significant with Mitigation)

The excavation and construction of the planned renovations and expansion of the existing building would temporarily increase noise in the vicinity. Noise and vibration levels over the estimated 12-month construction period would fluctuate depending on the construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. Construction noises associated with the proposed project would include demolition, excavation, truck traffic, and site work.

Excavation and foundation work would likely generate the most construction-related noise. Throughout the construction period there would be truck traffic to and from the site, hauling away demolition materials and debris, or delivering building materials. It is anticipated that the construction hours would be normal working hours during the week, with possible limited work during weekends. Noise from excavation and construction activities, especially impact tools,

drilling machines, and excavators could result in noise peaks and ground vibration that may disrupt nearby residents. Noise levels would be sporadic rather than continuous in nature because of the different types of construction equipment used.

Construction noise is regulated by the Noise Ordinance. The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have boot intake and exhaust muffled to the satisfaction of DPW or DBI. Section 2908 of the ordinance prohibits construction between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by DPW or DBI. Compliance with the noise ordinance would reduce most potential construction noise impacts to a less than significant level, including noise effects on residential uses in the immediate vicinity, which are considered sensitive receptors.

Sensitive receptors are people requiring quiet, for sleep or concentration, such as residences, schools, or hospitals, and people themselves who may be relatively more susceptible to adverse health impacts from their environment, such as immune-compromised individuals, populations with elevated levels of chronic illness, children, and the aged. Sensitive noise receptors in proximity to the project area are SRO residents directly adjacent to the project site.

Construction activities other than excavation work generally generates noise levels up to 90 dBA at 50 feet from the activity, while other activities, such as concrete work, are quieter. Closed windows typically can reduce daytime interior noise levels to an acceptable level. Given the proximity of the nearby sensitive receptors to the project site, noise levels may exceed those commonly experienced in an urban environment. Excavation activities could temporarily exceed noise thresholds in the Noise Ordinance. Due to the amount of required excavation and the proximity of nearby sensitive receptors, the project construction could result in a potentially significant impact unless special construction noise measures, such as shielding and muffling of impact tools, temporary barriers, etc., are used. With implementation of mitigation measure M-NO-2, construction noise would have a less than significant effect on the environment.

Mitigation Measure M-NO-2: Reduction of Construction Noise

The following measures would further minimize construction noise impacts on sensitive receptors:

- Construction equipment shall be properly maintained in accordance with manufacturers' specifications and shall be fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps). All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power equipment shall be muffled or shielded.
- Construction equipment shall not idle for extended periods of time near noise-sensitive receptors.

- Stationary equipment (compressors, generators, and cement mixers) shall be located as far from sensitive receptors as feasible. Sound enclosures shall be used during noisy operations on-site.
- Temporary barriers (noise blankets or wood paneling) shall be placed around the construction site parcels and, to the extent feasible, they should break the line of sight from noise sensitive receptors to construction activities. For temporary sound blankets, the material shall be weather and abuse resistant, and shall exhibit superior hanging and tear strength with a surface weight of at least 1 pound per square foot. Placement, orientation, size, and density of acoustical barriers shall be reviewed and approved by a qualified acoustical consultant.
- When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that would completely close the gaps, and would be dense enough to attenuate noise.

Impact C-NO: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative noise impacts. (Less than Significant)

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project, and are also required to comply with the Noise Ordinance. Project construction-related noise would not substantially increase ambient noise levels with compliance to the Noise Ordinance and implementation of mitigation measure M-NO-2. As such, construction noise effects associated with the proposed project would not be anticipated to combine with projects more than several hundred feet from the project site at 1095, 1169, and 1355 Market Street. Therefore, cumulative construction-related noise impacts would be less than significant.

Local traffic noise would not increase significantly in conjunction with other cumulative projects because the proposed project would not result in a significant increase in vehicular traffic to the project site, and cumulative projects would not result in substantial population growth in the project vicinity. Because neither the proposed project nor the other cumulative impacts in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project would not contribute considerably to any cumulative traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment and occupants would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulative increases in the ambient noise as a result of the building equipment or occupants. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
7. Air Quality					
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2010 Clean Air Plan contains the following primary goals:

- Attain air quality standards;

- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The 2010 *Clean Air Plan* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of an applicable air quality plan.

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment¹⁶ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.¹⁷

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 1 identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

¹⁶ "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status.

¹⁷ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.

Table 2 Criteria Air Pollutant Significance Thresholds			
Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter (PM₁₀ and PM_{2.5}¹⁸). Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).¹⁹ These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

¹⁸ PM₁₀ is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or larger. PM_{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

¹⁹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM₁₀ and PM_{2.5}). The BAAQMD has not established an offset limit for PM_{2.5}. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.²⁰ Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.²¹ Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.²² The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.²³ The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

²⁰ *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

²¹ Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at http://www.wrapair.org/forums/dej/fdh/content/FDHandbook_Rev_06.pdf, accessed February 16, 2012.

²² BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

²³ BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. A TAC is defined in California Health and Safety Code §39655 as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another. Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach. This approach uses a health risk assessment to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.²⁴

Vehicle tailpipe emissions contain numerous TACs, including benzene, 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, and diesel exhaust.²⁵ Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases, with collective and individual toxicological characteristics. While each constituent pollutant in engine exhaust may have a unique toxicological profile, health effects have been associated with proximity, or exposure, to vehicle-related pollutants *collectively* as a mixture.²⁶ Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.²⁷ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The ARB identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in

²⁴ In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

²⁵ San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

²⁶ Delfino RJ, 2002, "Epidemiologic evidence for asthma and exposure to air toxics: linkages between occupational, indoor, and community air pollution research," *Environmental Health Perspectives*, 110(S4):573-589.

²⁷ San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

humans.²⁸ Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled roadways. The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than for other land uses. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "air pollution hot spots," were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.²⁹ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,³⁰ the USEPA states that it "...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70

²⁸ California Air Resources Board, Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

²⁹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

³⁰ 54 Federal Register 38044, September 14, 1989.

years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.³¹

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. Air pollution hot spots for San Francisco are based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for error bounds in emissions modeling programs.

Land use projects within these air pollution hot spots require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts due to construction and long term impacts due to project operation.

Impact AQ-1: The proposed project’s construction activities would generate fugitive dust and criteria air pollutants, but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Construction activities (short-term) typically result in emissions of fugitive dust, criteria air pollutants, and DPM. Emissions of criteria pollutants and DPM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting or other types of architectural coatings or asphalt paving activities. The proposed project includes the renovation of an existing movie theater building which would include excavation for seismic upgrades to the existing building, construction of new side elevations along portions of the western and eastern building elevations, and enlargement of the basement. During the project’s approximately 12 month construction period, construction activities would have the potential to result in fugitive dust emissions, criteria air pollutants and DPM.

³¹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

FUGITIVE DUST

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board, reducing ambient particulate matter from 1998-2000 levels to natural background concentrations in San Francisco would prevent over 200 premature deaths.

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust to add to particulate matter in the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI.

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust. The proposed project would disturb approximately 300 cubic yards of soil and would be required to implement the dust control measures and submit a Dust Control Plan.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco

Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 millimeter (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

The site-specific Dust Control Plan would require the project sponsor to submit a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third-party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. Compliance with these regulations and procedures set forth by the San Francisco Building Code would ensure that potential dust-related air quality impacts would be reduced to a level of insignificance.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions would exceed the criteria air pollutant significance thresholds shown in Table 1, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the proposed project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development

on greenfield³² sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions. For projects that are mixed-use, infill, and/or proximate to transit service and local services, emissions would be expected to be less than the greenfield-type project that the screening criteria are based upon.

The proposed project includes the renovation of an existing movie theater and addition of approximately 8,863 sf of additional building area. The proposed project would be below the criteria air pollutant screening size for a general office building (277,000 sf)³³ identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less than significant construction criteria air pollutant impact.

Impact AQ-2a: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

Off-road equipment (which includes construction-related equipment) was once estimated to be the second largest source of ambient DPM emissions in California. However, newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.³⁴ This reduction in emissions is due, in part, to effects of the economic recession and refined emissions estimation methodologies. For example, revised particulate matter (PM) emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous estimates for the SFBAAB.³⁵ Approximately half of the reduction can be attributed to the economic recession and approximately half can be attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).³⁶

³² A greenfield is agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

³³ Theaters are not listed on BAAQMD's *CEQA Air Quality Guidelines* screening table, so the more conservative 277,000 sf office building screening size was used.

³⁴ California Air Resources Board (ARB), *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

³⁵ ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

³⁶ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.³⁷ Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to DPM emissions.³⁸

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."³⁹

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within air pollution hot spots, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The project site is not located within an identified air pollution hot spot. Although on-road heavy-duty diesel vehicles and off-road equipment would be used during the 12-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors exposure to temporary and

³⁷ USEPA, "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

³⁸ California Code of Regulations, Title 13, Division 3, § 2485.

³⁹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

variable DPM emissions. Therefore, construction period TAC emissions would result in a less than significant impact to sensitive receptors.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating.

Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

As discussed above in Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project includes the renovation of an existing movie theater and construction of approximately 8,863 sf of additional building area. The theater would not result in an increase in vehicle trips as existing movie theater is being converted to a live performance theater with 60% less seats which is the determinant of vehicle trips generated for a use. The proposed project would be below the criteria air pollutant screening sizes for a general office building (277,000 sf) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to criteria air pollutants.

Impact AQ-4a: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project would not result in a net increase in vehicle trips and would

therefore be well below this level. Therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (Less than Significant)

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors. The proposed project includes the addition of a prep kitchen on the upper floor and ground floor café though both facilities would install an exhaust filtration system as part of the project and are not anticipated to be a significant source of new odors. Therefore, odor impacts would be less than significant.

Cumulative Air Quality Impacts

Impact C-AQ-1a: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would result in less-than-significant cumulative air quality impacts. (Less than Significant)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.⁴⁰ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

The project would not add new vehicle trips over the historical levels expected to be generated by the previous use of the building as a movie theater and the project site is not located within an air pollution hot spot. Therefore, the project would not be anticipated to increase TAC emissions

⁴⁰ BAAQMD, CEQA Air Quality Guidelines, May 2011, page 2-1.

resulting from new vehicle trips and would not contribute substantially to cumulative TAC emissions that could affect nearby sensitive land uses. Therefore, cumulative air quality impacts would be considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
8. Greenhouse Gas Emissions					
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO_2E).⁴¹

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely

⁴¹ Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.⁴²

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO₂E (MMTCO₂E), or about 535 million U.S. tons.⁴³ The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.⁴⁴ In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCO₂E emitted in 2007.⁴⁵ Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.⁴⁶

Regulatory Setting

The following regulations and guidelines are applicable to GHGs in California.

Executive Order S-3-05

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05 that set a series of target dates by which statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Assembly Bill 32 – California Global Warming Solutions Act

In 2006, the California legislature passed Assembly Bill (AB) 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq.), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that

⁴² California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

⁴³ California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

⁴⁴ Ibid.

⁴⁵ Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

⁴⁶ Ibid.

feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020, a 25 percent reduction.

AB 32 requires ARB to establish a statewide GHG emissions cap for 2020 based on 1990 emission levels. AB 32 required ARB to adopt regulations by January 1, 2008 that identify and require selected sectors or categories of GHG emitters to report and verify their statewide GHG emissions, and ARB is authorized to enforce compliance with the program. Under AB 32, ARB was also required to adopt a statewide GHG emissions limit by January 1, 2008, equivalent to the statewide GHG emissions levels in 1990 that must be achieved by 2020. ARB established this limit, in December 2007, at 427 MMTCO₂e. This is approximately 30 percent below forecasted business-as-usual emissions of 596 MMTCO₂e, and about 10 percent below average annual GHG emissions from 2002 through 2004.

On January 1, 2011, ARB was required to adopt rules and regulations (that became operative January 1, 2012), to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 permits the use of market-based compliance mechanisms to achieve those reductions. AB 32 requires ARB to monitor compliance with and enforce any rule, regulation, order, emission limitation, emissions reduction measure, or market-based compliance mechanism that it adopts.

In June 2007, ARB directed staff to pursue 37 early actions for reducing GHG emissions under AB 32. The broad spectrum of strategies to be developed, including a Low Carbon Fuel Standard, regulations for refrigerants with high global warming potential, guidance and protocols for local governments to facilitate GHG reductions, and green ports, reflects that the serious threat of climate change requires action as soon as possible.

In addition to approving the 37 GHG reduction strategies, ARB directed staff to further evaluate early action recommendations made at the June 2007 meeting, and to report back to ARB within 6 months. ARB suggested a desire to attempt to pursue greater GHG emissions reductions in California in the near term. Since the June 2007 ARB hearing, ARB staff has evaluated all 48 recommendations submitted by stakeholders and several internally-generated staff ideas and published the *Expanded List of Early Action Measures To Reduce Greenhouse Gas Emissions In California Recommended For Board Consideration*.⁴⁷

The ARB adopted a scoping plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. To meet these goals, California must reduce its GHG emissions by 30 percent

⁴⁷ ARB. *Expanded List of Early Action Measures To Reduce Greenhouse Gas Emissions In California Recommended For Board Consideration*, October 2007. Available online at: http://www.arb.ca.gov/cc/ccea/meetings/ea_final_report.pdf. Accessed June 17, 2011.

below projected 2020 business-as-usual emissions levels, or about 15 percent below today's levels. In its scoping plan, the ARB estimates a reduction of 174 MMTCO₂e (about 191 million US tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors (Table 3). The ARB identified an implementation timeline for the GHG reduction strategies in the scoping plan. Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Some emission reduction strategies could require their own environmental review under CEQA or NEPA.

AB 32 anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The ARB Scoping Plan relies on the requirements of Senate Bill (SB) 375 to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the state's GHG reduction goals. SB 375 requires regional transportation plans (RTP), developed by Metropolitan Planning Organizations, to incorporate a "sustainable communities strategy" in their RTPs that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission MTC's 2013 RTP would be its first plan subject to SB 375. SB 97 required the Office of Planning and Research (OPR) to amend the state CEQA Guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs.

Table 3
GHG Reductions from the AB 32 Scoping Plan Sectors⁴⁸

GHG Reduction Measures By Sector	GHG Reductions (MMTCO ₂ e)
Transportation sector	62.3
Electricity and natural gas	49.7
Industry	1.4
Landfill methane control measure (discrete early action)	1
Forestry	5
High global warming potential GHGs	20.2

⁴⁸ ARB. *Expanded List of Early Action Measures To Reduce Greenhouse Gas Emissions In California Recommended For Board Consideration*, October 2007. Available online at: http://www.arb.ca.gov/cc/ccea/meetings/ea_final_report.pdf. Accessed June 17, 2011.

Table 3
GHG Reductions from the AB 32 Scoping Plan Sectors⁴⁸

GHG Reduction Measures By Sector	GHG Reductions (MMTCO ₂ e)
Additional reductions needed to achieve the GHG cap	34.4
Total	174
Other Recommended Measures	
Government operations	1-2
Agriculture methane capture at large dairies	1
Methane capture at large dairies	1
Additional GHG reduction measures	
Water	4.8
Green buildings	26
High recycling/zero waste	9
• Commercial recycling	
• Composting	
• Anaerobic digestion	
• Extended producer responsibility	
• Environmentally preferable purchasing	
Total	42.8-43.8

Notes:

GHG = greenhouse gas

MMTCO₂e = million gross metric tons of carbon dioxide equivalents

In response, OPR amended the CEQA Guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Initial Study Checklist to address questions regarding the project's potential to emit GHGs.

California Environmental Quality Act Guidelines Revisions

In 2007, the California legislature passed SB 97 that required amendment of the CEQA Guidelines to incorporate analysis of, and mitigation for, GHG emissions from projects subject to CEQA. The California Natural Resources Agency adopted these amendments on December 30, 2009, and they took effect March 18, 2010, after review by the Office of Administrative Law and filing with the Secretary of State for inclusion in the CCR.

The CEQA Guideline revisions include a new section (Section 15064.4) that specifically addresses the significance of GHG emissions. Section 15064.4 calls for a good-faith effort to describe, calculate or estimate GHG emissions; Section 15064.4 further states that the significance of GHG impacts should include consideration of the extent to which the project would increase or reduce GHG emissions; exceed a locally applicable threshold of significance; and comply with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The revisions also state that a project may be found to have a less-than-significant impact if it

complies with an adopted plan that includes specific measures to sufficiently reduce GHG emissions (Sec. 15064(h)(3)). Importantly, however, the revised guidelines do not require or recommend a specific analysis methodology or provide quantitative criteria for determining significance of GHG emissions.

Bay Area Air Quality Management District

The BAAQMD is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin. As part of their role in air quality regulation, BAAQMD has prepared CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of proposed projects and plans. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *CEQA Air Quality Guidelines* provide CEQA thresholds of significance for operational GHG emissions from land use projects for the first time. The BAAQMD has not defined GHG thresholds from construction activities, but recommends that significance be determined in relation to meeting AB 32 GHG reduction targets. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *CEQA Air Quality Guidelines* and thresholds of significance have been incorporated into the analysis of potential GHG impacts associated with the proposed project.

San Francisco Planning Department

On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to BAAQMD.⁴⁹ This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy, in compliance with BAAQMD's *CEQA Air Quality Guidelines* and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced GHG emissions, including increasing the energy efficiency of new and existing buildings, installing solar panels on roofs, implementing a green building strategy, adopting a zero waste strategy, passing a construction and demolition debris recovery ordinance, offering a solar energy generation subsidy, incorporating alternative fuel vehicles into the City's transportation fleet (including buses and taxis), and imposing a mandatory composting ordinance. The strategy identifies 42 specific regulations for development that would reduce a project's GHG emissions.

⁴⁹San Francisco Planning Department. Strategies to Address Greenhouse Gas Emissions in San Francisco. 2010. Internet website: http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf. Accessed on October 21, 2011.

San Francisco's climate change goals, as identified in the 2008 Greenhouse Gas Reduction Ordinance, are:

- By 2008, determine the City's 1990 GHG emissions;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals, as outlined in AB 32, and are consistent with the State's 2050 GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, and alternative transportation and solid waste policies. It concludes that San Francisco's policies have reduced GHG emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 MMTCO₂e, and 2005 GHG emissions are estimated at 7.82 MMTCO₂e, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy, as outlined in BAAQMD's *CEQA Air Quality Guidelines*. The GHG Reduction Strategy provides standards to establish thresholds of significance when analyzing CEQA documents. BAAQMD further stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also be a model from which other communities can learn."⁵⁰

Impact GG-1: The proposed project would generate greenhouse gas emissions, but not in levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

The most common GHGs resulting from human activity are CO₂, CH₄, and N₂O.⁵¹ State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct

⁵⁰Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, SF Planning Department. October 28, 2010.

⁵¹Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed March 3, 2010.

operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by the construction of a two-phased addition to an existing school which would result in an increase in energy use. The addition could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The addition could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the significance of a project's GHG emissions are based on compliance with the City's GHG Reduction Strategy, as this strategy consistent is with AB 32 GHG reduction goals and would continue to reduce GHG emissions below current levels. As discussed in San Francisco's Strategies to Address Greenhouse Gas Emissions, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions. Applicable requirements are shown below in Table 6. A comprehensive analysis of the project's consistency with San Francisco's Strategies to Address Greenhouse Gas Emissions is detailed in the project's GHG Compliance Checklist.¹⁴⁹

Table 4 Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (San Francisco Environment Code, Section 421)	<p>Employers of 20 or more employees must provide at least one of the following benefit programs:</p> <p>1. A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or</p> <p>(2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or</p> <p>(3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	<p>The project sponsor offers commuter benefits to its employees through a pre-tax election, consistent with option 1.</p>

Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project sponsor will enroll in this program prior to completion of the project.
Transit Impact Development Fee (San Francisco Administrative Code, Chapter 38)	Establishes the following fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project sponsor will pay all applicable fees.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (LEED EA3, San Francisco Building Code, Chapter 13C.5.410.2)	For new large buildings greater than 10,000 square feet, commissioning shall be included in the design and construction to verify that the components meet the owner's or owner representative's project requirements.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project sponsor has a LEED-certified consultant who will perform enhanced commissioning of the building.
Commissioning of Building Energy Systems (LEED prerequisite, EAp1)	Requires Fundamental Commissioning for New High-rise Residential, Commercial Interior, Commercial and Residential Alteration projects	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project sponsor has a LEED-certified consultant who will perform enhanced commissioning of the building.
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be a minimum of 14% more energy efficient than Title 24 energy efficiency requirements. As of 2008 large commercial buildings are required to have their energy systems commissioned, and as of 2010, these large buildings are required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings are required to have their systems commissioned by 2009, with enhanced commissioning as of 2011.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project will use Variable Air Volume distribution through displacement ventilation systems for enhanced energy efficiency. Maximum efficiency condensing boilers will be provided for building heating and domestic hot water.
San Francisco Green Building Requirements for water use reduction (San Francisco Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Low flow plumbing fixtures (water closets – 1.28 GPF, urinals – 0.5 or 0.125 GPF, lavatories – 0.5 GPM, showers – 1.5 GPM, etc...) will be used to reduce the building's potable water usage by greater than 30%.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2, 13C .303.2.)	Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals. New large commercial and New high rise residential buildings must achieve a 30% reduction. Commercial interior, commercial alteration and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Low flow plumbing fixtures (water closets – 1.28 GPF, urinals – 0.5 or 0.125 GPF, lavatories – 0.5 GPM, showers – 1.5 GPM, etc...) will be used to reduce the building's potable water usage by greater than 30%.

Commercial Water Conservation Ordinance (San Francisco Building Code, Chapter 13A)	<p>Requires all existing commercial properties undergoing tenant improvements to achieve the following minimum standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	<p>Low flow plumbing fixtures (water closets – 1.28 GPF, urinals – 0.5 or 0.125 GPF, lavatories – 0.5 GPM, showers – 1.5 GPM, etc...) will be used to reduce the building's potable water usage by greater than 30%.</p>
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant one 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	There are currently four street trees along the project's Market Street frontage. These will either be preserved or replaced, so the project will have at least one 24-inch box tree for every 20 feet along the property street frontage.
Enhanced Refrigerant Management (San Francisco Building Code, Chapter 13C.5.508.1.2)	All new large commercial buildings must not install equipment that contains chlorofluorocarbons (CFCs) or halons.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Project HVAC systems will be specified not to use CFCs or halons.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project is now in design development. Specific products have not yet been identified, but the project will meet the requirements.
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.2 through 2.4)	Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project is now in design development. Specific products have not yet been identified, but the project will meet the requirements.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2,	Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project is now in design development. Specific products have not yet been identified, but the project will meet the requirements.

13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	EQc4.1.		
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project is now in design development. Specific products have not yet been identified, but the project will meet the requirements.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): <ul style="list-style-type: none">• All diesel generators to be registered with the Department of Public Health• All new diesel generators must be equipped with the best available air emissions control technology.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would not include the installation of a backup generator.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed sponsor will be designed to manage stormwater on the project site per the San Francisco Stormwater Ordinance. In addition to new landscaping and permeable paving within the property line on the fronting street, other specific methods of implementation are to be determined.

Waste Reduction Sector

Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project owner does currently and will continue to separate their refuse into recyclables, compostables, and trash per the San Francisco Environment Code.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project sponsor would divert at least 75% of the project's construction and demolition debris to recycling.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions*.⁵² As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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9. Wind and Shadow

Would the project:

- a) Alter wind in a manner that substantially affects public areas?
- b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?

⁵² Greenhouse Gas Analysis: Compliance Checklist for 1127 Market Street, August 29, 2012. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, in Case No. 2012.0370E.

Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas. (Less than Significant)

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The proposed project would not increase the overall height of the existing structure. The new side walls to enclose portions of the lightwell would not result in adverse effects on ground-level winds as the building is not substantially taller than the surrounding buildings and would be the same height as the existing side building elevations. The proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site and would result in a less-than-significant wind impact.

Impact WS-2: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Planning Code Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. The proposed enclosure of portions of the lightwell areas would not significantly impact shadow amounts in the project vicinity.

Impact C-WS: The proposed project, in combination with other past, present or reasonably foreseeable projects would not result in less-than-significant wind and shadow impacts. (Less than Significant)

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind impact in the project vicinity. The design of the other Mid-Market projects would be required to comply with the applicable height and bulk requirements, as defined in the Planning Code and therefore, no building of sufficient height to substantially affect wind would be constructed. As such, the proposed project, in combination with projects currently proposed in the vicinity, would not substantially alter the wind patterns that could affect public areas, and cumulative wind impacts would be considered less than significant.

The proposed project, along with other potential and future development in the vicinity, could result in net new shadows in the vicinity. However, these projects would be subject to the controls of Section 295 to avoid substantial net new shading of public open spaces, including the adjacent UN Plaza, if any cumulative project would involve construction over 40 feet. Thus the proposed project, in combination with cumulative projects considered in this analysis, would not be expected to contribute considerably to adverse shadow effects under cumulative conditions, and cumulative shadow impacts would be considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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10. Recreation

Would the project:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?
- b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?
- c) Physically degrade existing recreational resources?

Impact RE-1: The proposed project would not result in a substantial increase in the use of existing neighborhood parks or other recreational facilities. (Less than Significant)

The nearest recreation facilities to the project site include the Civic Center Plaza and playground, within two blocks of the project site, as well as the Victoria Manalo Draves Park on Folsom Street at Seventh Street, approximately one-half mile from the project site. The proposed project would minimally increase the use of recreational facilities and parks due to an increase in employees on the project site. The project would result in a minor increase to the existing demand for public recreational facilities in this area and would not result in substantial physical deterioration of existing recreational resources. Therefore, impacts on recreational activities and facilities would be less than significant.

Impact RE-2: The proposed project would not require the construction of recreational facilities that may have a significant effect on the environment. (Less than Significant)

The proposed project would result in a negligible increase in the use of existing recreational facilities and parks in the area due to the increase of employees working on the project site. The proposed project would not necessitate the construction of new recreational facilities or the expansion of existing facilities. Therefore, the construction of new facilities would not be needed and construction of these facilities would not have a physical environmental impact.

Impact RE-3: The proposed project would not physically degrade existing recreational facilities. (Less than Significant)

The proposed project would not result in the physical alteration of any recreational resource within the vicinity of the project site or in the City as a whole. The proposed project would renovate and convert an existing movie theater into a live performance theater. Therefore, the project would not physically degrade any existing recreational resources.

Impact C-RE: The proposed project, in combination with past, present, and reasonable foreseeable future projects, would not considerably contribute to recreational impacts in the project site vicinity. (Less than Significant)

The use of recreational facilities in the vicinity of the project site is not expected to noticeably increase as a result of the proposed project. As mentioned above, the proposed project would renovate and convert an existing single-screen movie theater to a live performance theater. Therefore, the contribution of the proposed project to cumulative recreation-related impacts would not be considerable.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
11. Utilities and Service Systems					
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact UT-1: Implementation of the proposed project would not require or result in the construction of wastewater collection and treatment facilities, new storm water drainage facilities, or expansion of existing facilities. (Less than Significant)

The project site is located within an area that is served by existing utilities and service systems including solid waste disposal, wastewater, and stormwater collection and treatment, power, water and communication facilities. The proposed project would add additional demand to the existing site that would incrementally increase the demand for utilities and service systems, but not in excess of amounts expected and provided for in the project area.

The SFPUC provides both water and wastewater service in San Francisco. San Francisco's combined sewer and wastewater treatment system serves the project site, which handles both sewage treatment and stormwater runoff. The proposed project would also require the construction of wastewater facilities, including collection and conveyance pipeline infrastructure. Project related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay.

The project site is completely covered with impervious surfaces and would remain completely covered with the proposed project. Therefore, the project would not substantially affect the amount of stormwater discharged from the project site. Additionally, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO), adopted May 6, 2008. The SFGBO would require that the project meet the performance standard identified in the LEED NC⁵³ credit 6.2 or LEED credit 6.1 for quality control of stormwater. Specifically, this credit requires the project sponsor to implement a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats the stormwater runoff for the peak runoff rate and the total runoff volume reduction for the two year 24 hour storm using a variety of best management practices (BMPs). The BMPs must be capable of removing 80 percent of the average annual post-development total suspended solids (TSS). The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Although the project would incrementally increase the demand for wastewater treatment and could increase the demand for stormwater treatment, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Additionally, requirements for stormwater treatment mandated by the SFGBO would decrease the incremental amount of stormwater requiring treatment at the Southeast Water Pollution Control Plant. Therefore, the proposed project would have a less than significant impact on San Francisco's wastewater and stormwater systems.

Impact UT-2: The SFPUC has sufficient water supply and entitlements to serve the proposed project, and implementation of the proposed project would not require expansion or construction of new water treatment facilities. (Less than Significant)

The proposed project could incrementally increase the amount of water required to serve the project site. However, the proposed project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Public Utilities Commission's (SFPUC) 2005

⁵³ LEED NC stands for Leadership in Energy and Environmental Design- New Construction.

Urban Watershed Management Plan.⁵⁴ Additionally, as required by the SFGBO, the project would be required to implement a 20 percent reduction in potable water for other uses (requiring installation of low-flow fixtures). Although the project could increase the amount of water required on site, the increase in water use on the site is accounted for in the SFPUC's 2005 Urban Watershed Management Plan. Also, the project would be required to implement water conservation measures as required by the SFGBO, would be served by the existing water supply and would not require new or expanded water supply resources or entitlements. Therefore, the project's impact on water supply would be less than significant.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)

Solid waste generated by the City and County of San Francisco is transported to the Altamont Landfill. This landfill has a permitted peak maximum disposal capacity of 11,150 tons per day and is operating well below that capacity, at approximately 4,000 to 5,000 tons per day. In addition, the landfill has an annual solid waste capacity of 2,226,500 tons from the City and County of San Francisco. However, the landfill is well below its allowed capacity, receiving approximately 1.29 million tons of solid waste in 2007, the most recent data year available. The total permitted capacity for the landfill is 62 million cubic yards; the remaining capacity is approximately 45.7 million cubic yards.

Recycling, composting, and waste reduction are expected to increasingly divert waste from the landfill, per California and local requirements. The City was required by the State's Integrated Waste Management Act (AB 939) to divert 50 percent of its waste stream from landfill disposal by 2000. The City met this threshold in 2003 and has since increased it to 69 percent in 2005 and 70 percent in 2006. In addition, the Board of Supervisors adopted a plan in 2002 to recycle 75 percent of annual wastes generated by 2010.

The proposed project would be in compliance with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The theater would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. The Altamont Landfill is expected to remain operational until at least 2029 and has plans to increase capacity by 250 additional acres. With the City's increase in recycling and the potential Altamont Landfill expansion, the City's solid waste disposal demand could be met through at least 2029. Given the existing and anticipated increase in solid waste recycling and the proposed landfill

⁵⁴ The SFPUC's 2005 *Urban Water Management Plan* is based on data presented in the Association of Bay Area Government's (*Projections 2002: Forecasts for the San Francisco Bay Area to the Year 2025*, which includes all known or expected development projects in San Francisco through the year 2025).

expansion, the project would have a less-than-significant impact on solid waste facilities. Therefore, the project's impact on existing landfill capacity would be less than significant.

Impact UT-4: The construction and operation of the proposed project would follow all applicable statutes and regulations related to solid waste. (Less than Significant)

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment showed the City generated 1.88 million tons of waste material in 2002. Approximately 63 percent (1.18 million tons) was diverted through recycling, composting, reuse, and other efforts while 700,000 tons went to a landfill.⁵⁵ San Francisco residents currently divert approximately 72 percent of their solid waste to recycling and composting, bringing the city's residents closer to their goal of 75 percent diversion by 2010 and 100 percent by 2020.⁵⁶ The solid waste associated with the proposed project's construction would be required to divert 65 percent of all non-hazardous construction waste for recycling and reuse, as required by the Construction, Demolition and Debris Ordinance.

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste.

Therefore, solid waste generated from the project's construction and operation would not substantially affect the projected life of the landfill, and the impacts related to solid waste would be less than significant.

Impact C-UT: In combination with past, present, and reasonably foreseeable future development in the project site vicinity, the proposed project would not have a substantial cumulative impact on utilities and service systems. (Less than Significant)

⁵⁵ San Francisco Office of the Controller, Community Indicators Report. Available on the internet at: http://www.sfgov.org/wcm_controller/community_indicators/physicalenvironment/index.htm. Accessed March 12, 2009.

⁵⁶ San Francisco Department of the Environment. Zero Waste. Website available at: <http://sfgov.org/site/frame.asp?u=http://www.sfenvironment.org>. Accessed February 11, 2009.

Cumulative development in the project area would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service providers. Given that the City's existing service management plans address anticipated growth in the region, the project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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12. Public Services

Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?

Impact PS-1: The proposed project would not increase demand for police service, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)

The existing project site currently receives police protection services from the San Francisco Police Department (SFPD). The Southern police station located at 850 Bryant, approximately 0.57 miles from the project site, serves the project site. The renovations and conversion of the former movie theater into a live performance theater would incrementally increase demand for police services in the area. Given the nature of the proposed project, it would not necessitate the construction of a new police station and would have a less than significant effect on police protection services.

Impact PS-2: The proposed project would not increase demand for fire protection services, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)

The proposed project could increase the demand for fire protection services within the project area during construction of the project. The nearest fire stations to the project site are Stations #3 and #36 located at 1067 Post Street and 109 Oak Street respectively, both which are about one-half mile from the project site. The operation of the theater would incrementally increase demand for fire suppression in the area. Additionally, the SFFD has sufficient resources to accommodate a project of this size. Therefore, this impact would be less than significant.

Impact PS-3: The proposed project would not directly or indirectly generate school students and there would be no impact on existing school facilities. (No Impact)

The proposed project would not add new population to the area, and therefore, would not have an impact on schools. The proposed project would not result in a substantial unmet demand for school facilities and would not necessitate new or physically altered school facilities. Therefore, the proposed project would have no impact on schools.

Impact PS-4: The proposed project would not increase the demand for government services, and there would be no impact on government facilities. (No Impact)

The proposed project would not result in a population increase that would necessitate the need for new or physically altered government facilities, and therefore would have no impact on governmental facilities.

Impact C-PS: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)

The proposed project is expected to incrementally increase demand for public services. Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, cumulative impacts to public services would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
13. Biological Resources					
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Under CEQA criteria, a project would have significant impacts on biological resources if it were to substantially affect candidate, sensitive, or special status species, riparian habitat or other sensitive natural community or wetlands, interfere with the movement of any migratory fish, wildlife, established native resident, or migratory wildlife corridors, conflict with local policies or ordinances related to biological resources, or conflict with any habitat conservation plan. There are no adopted habitat conservation plans applicable to the project site, so criterion E.13.f is not applicable to the proposed project.

Impact BI-1: The proposed project would have no impact on special status species, avian species, or riparian, wetland, or sensitive natural communities and would not conflict with an approved local, regional, or state habitat construction plan. (No Impact)

The project site and the majority of the Mid-Market neighborhood around the project site are developed and covered with structures and other impermeable surfaces. The project site is occupied by the existing Strand Theater. The proposed project would not result in the removal of existing trees. The project site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect or diminish plant or animal habitats, including riparian or wetland habitat. The project would not interfere with any resident or migratory species, affect any rare, threatened, or endangered species, or involve tree removal. Given the conditions present on the project site and in the area, the proposed project would have no impact on biological resources.

Impact BI-2: Implementation of the proposed project would not conflict with local tree protection regulations. (No Impact)

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have been found worthy of landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either located on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, and is greater than 20 feet in height or meets other criteria.

A Tree Disclosure Statement prepared for the project noted that there are no trees located on the subject property and the adjacent property that are considered Significant trees, and there are four street trees adjacent to the project site along Market Street. There are no Landmark trees on properties adjacent to the site. As mentioned above, the project does not include tree removal. The removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant.

Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact C-BI: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in substantial cumulative adverse impacts to biological resources. (Less than Significant)

Given the above, it is not expected that the proposed project would result in cumulative impacts in combination with the proposed projects at 1095, 1169, and 1355 Market Street. Even if these projects did have biological impacts, the proposed project would not contribute in a cumulatively considerable way that would affect a rare or endangered species or habitat, or conflict with any local, regional or state habitat conservation plan or ordinance. Therefore, the project would not result in any significant cumulative biological impacts. For the reasons described above, biological impacts, both project-specific and cumulative, would be less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. Geology and Soils					
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to the City's sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic 14e is not applicable to the project site.

Impact GE-1: The proposed project would not result in exposure of people and structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, expansive soils, seismic ground-shaking, liquefaction, or lateral spreading. (Less than Significant)

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. A geotechnical analysis has been completed for the project site.⁵⁷ The analysis examined underlying soils of the project site and made preliminary geotechnical recommendations related to excavation operations on the project site. The analysis indicates that the project site is suitable for the construction of the proposed project and found no evidence of active faulting on the project site. However, during an earthquake at any of the major area faults mentioned above, the project site would experience strong to very strong ground

⁵⁷ Treadwell & Rollo, Preliminary Geotechnical Investigation dated June 20, 2012. A copy of this letter is available for review at the Planning Department offices at 1650 Mission Street, Suite 400, related to Case No. 2012.0370E.

shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,⁵⁸ lateral spreading,⁵⁹ and cyclic densification.⁶⁰

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to “non-structural damage” from ground shaking from earthquakes along the San Andreas Fault (Map 2 of the Community Safety Element) and “non-structural damage” from earthquakes along the Northern Hayward Fault (Map 3). The project site is located approximately 6 miles northwest of the San Andreas Fault and approximately 10 miles west of the northern Hayward Fault. Therefore, it is likely that the site would experience periodic minor or major earthquakes associated with a regional fault. The 2007 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake.

Groundshaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as that associated with soil liquefaction, lateral spreading, and differential compaction. The project site is located in an area of liquefaction potential, as shown in the Community Safety Element of the General Plan (Map 4, titled "Hazards Study Zones—Areas of Liquefaction Potential"). Based on the analyses of the boring and CPTs conducted during the geotechnical investigation of the site, the discontinuous lens of saturated medium dense sand and silty sand encountered could liquefy during a major earthquake resulting in a liquefaction-induced settlement of these layers ranging between $\frac{1}{4}$ to $\frac{1}{2}$ inch. However, considering that the potentially liquefiable soil layers are discontinuous, the potential for lateral spreading was judged to be low. Considering the depth and thickness of the potentially liquefiable soil layers, the potential for surface manifestation of liquefaction was also judged to be low. The soil above the groundwater at the site is loose to medium dense sandy fill and medium dense to dense Dune sand and therefore ground settlement due to cyclic densification was analyzed to be on the order of $\frac{3}{4}$ inch.

⁵⁸ Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

⁵⁹ Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

⁶⁰ Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

The project site is not in an area of potential landslide hazards (Map 5)⁶¹ based on the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990.⁶²

During construction of the project improvements, temporary shoring along the north and west sides of the excavation would be needed. Where the excavation abuts an existing retaining wall, the foundations adjacent to the excavation could be underpinned and the remaining excavation shored, or the shoring system could be designed for the entire excavation and constructed adjacent to the existing wall to support both the retained soil and the wall.

A portion of the project site is within BART's zone of influence (ZOI) which is an area where special excavation and foundation specifications are required to minimize any displacement or load-bearing forces on the underground subway and stations along Market Street. Micropiles would be used for portions of the building foundation within this area.

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be addressed during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code, and this impact would be less than significant.

Impact GE-2: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)

⁶¹ City and County of San Francisco, Community Safety Element, *General Plan*, April 1997.

⁶² The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazards zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

The project site is covered entirely with impervious surfaces and is not anticipated to contain a significant amount of native top soil under the structure due to prior disturbance and building activities. Excavation would be conducted up to 19 ft in depth with a total volume of 300 cubic yards of soil to be removed to enlarge the basement and construct new footings for the structure, and it is anticipated that fill and native soil would be encountered. Compliance with standard erosion-control measures would ensure that the potential for erosion would be less-than-significant.

Impact GE-3: The proposed project would not result in impacts to site topographical features. (No Impact)

The topography of the project site is relatively flat and there are no topographical features present on the site. Therefore, the proposed project would not have any impacts with respect to topographical features of the site.

Impact C-GE: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on geology and soils. (Less than Significant)

Geologic impacts are generally site specific and in this setting would not have cumulative effects with other projects. Therefore, the project would not have a considerable contribution to related cumulative impacts. In addition, the building plans of planned and foreseeable projects would be reviewed by DBI, and potential geologic hazards would be avoided during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
15. Hydrology and Water Quality					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact HY-1: The proposed project would not violate water quality standards or otherwise substantially degrade water quality. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. As discussed in Section F.11 Utilities and Service Systems, the project site's wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the Pacific Ocean. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction, there would be a potential for erosion and the transport of soil particles during site preparation and excavation. Once in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into San Francisco Bay. Stormwater runoff from project construction would drain into the combined sewer and stormwater system and be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Pursuant to the San Francisco Building Code and the City's NPDES permit, the project sponsor would be required to implement measures to reduce potential erosion impacts. During operation and construction, the proposed project would be required to comply with all local wastewater discharge and water quality requirements. Therefore, the proposed project would not substantially degrade water quality, and impacts on water quality would be less than significant.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (Less than Significant)

Groundwater is not used as a drinking water supply in the City and County of San Francisco. The project site is entirely covered with impervious surfaces. As reported in the geotechnical investigation, groundwater on the project site was encountered at about 26 ft below the grade of the surface (bgs).⁶³ The geotechnical report acknowledges that although the water table is expected to

⁶³ Treadwell & Rollo, Preliminary Geotechnical Investigation dated June 20, 2012. A copy of this letter is available for review at the Planning Department offices at 1650 Mission Street, Suite 400, related to Case No. 2012.0370E.

fluctuate somewhat based on seasonal and tidal conditions, dewatering is not required due to the anticipated maximum excavation depth of 19 ft bgs.

The project would not result in the use of groundwater, and no groundwater is anticipated to be encountered during project construction. If any groundwater were to be encountered during construction of the proposed project, it is subject to the requirements of the City's Industrial Waste Ordinance (Ordinance Number 199 77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects requiring dewatering, and may require water analysis before discharge. However, as mentioned in the geotechnical report for the project, dewatering is not anticipated. Because the project site would remain entirely impervious after project implementation, the project would not affect groundwater recharge, and this impact would be less than significant.

Impact HY-3: **The proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)**

Compliance with the Stormwater Management Ordinance in general will require the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before entering the combined sewer collection system. Additionally, because the proposed project would not substantially change the amount of impervious surface area at the site, there would be little change to the quantity and rate of stormwater runoff from the site that flows to the city's combined sewer system. The proposed project would alter drainage on site, but site runoff would continue to drain to the city's combined storm and sanitary sewer system. The foundation and portions of the building below grade would be constructed to be water tight to avoid the need to permanently pump and discharge water. Because stormwater flows from the proposed project could be accommodated by the existing combined sewer system, and because there would not be an expected increase in stormwater flows, the proposed project's impact on surface or ground water quality would be less than significant.

Impact HY-4: **The proposed project would not expose people, housing, or structures, to substantial risk of loss due to flooding. (Less than Significant)**

Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of

Engineers (Corps). The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City of San Francisco does not participate in the NFIP and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a one percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the flood plain that is at risk from a flood of this magnitude as a special flood hazard area ("SFHA").

Because FEMA has not previously published a FIRM for the City and County of San Francisco, there are no identified SFHAs within San Francisco's geographic boundaries. FEMA has completed the initial phases of a study of the San Francisco Bay. On September 21, 2007, FEMA issued a preliminary FIRM (PFIRM) of San Francisco for review and comment by the City. The City has submitted comments on the PFIRM to FEMA. FEMA anticipates publishing a revised PFIRM in 2012⁶⁴, upon completion of a more detailed analysis that responds to Port and City staff comments on the 2007 PFIRM. After review of comments and appeals related to the revised preliminary FIRM, FEMA will finalize the FIRM and publish it for flood insurance and floodplain management purposes.

FEMA has tentatively identified SFHAs along the City's shoreline in and along San Francisco Bay consisting of Zone A (areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).⁶⁵ On June 10, 2008, legislation was introduced at the San Francisco Board of Supervisors to enact a floodplain management ordinance to govern new construction and substantial improvements in flood prone areas of San Francisco, and to authorize the City's participation in NFIP upon passage of the ordinance. Specifically, the proposed floodplain management ordinance includes a requirement that any new construction or substantial improvement of structures in a designated flood zone must meet the flood damage minimization requirements in the ordinance. The NFIP regulations allow a local jurisdiction to issue variances to its floodplain management ordinance under certain narrow circumstances, without jeopardizing the local jurisdiction's eligibility in the NFIP. However, the particular projects that are granted variances by the local jurisdiction may be deemed ineligible for federally-backed flood insurance by FEMA.

⁶⁴ San Francisco Floodplain Management Program Fact Sheet, Office of the City Administrator, Revised January 25, 2011.

⁶⁵ City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, <http://sfgsa.org/index.aspx?page=828>. Accessed August 29, 2012.

Once the Board of Supervisors adopts the Floodplain Management Ordinance, the Department of Public Works will publish flood maps for the City, and applicable City departments and agencies may begin implementation for new construction and substantial improvements in areas shown on the Interim Floodplain Map. According to the preliminary flood map, the project site is not located within a potential flood zone.⁶⁶ Therefore, the project would result in less than significant impacts related to development within a 100-year flood zone.

Impact HY-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow. (No Impact)

As discussed in the section pertaining to geology and soils, above, the project site is not in an area subject to tsunami run-up, or reservoir inundation hazards (Maps 6 and 7 in the General Plan Community Safety Element). Therefore, the project is not expected to expose people or structures to risk from inundation by seiche, tsunami or mudflow.

Impact C-HY: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on hydrology and water quality. (Less than Significant)

Given the discussion above, the proposed project would not have a significant impact on water quality standards, groundwater, drainage, or runoff and thus would not contribute considerably to any cumulative impacts in these areas. Flood and inundation hazards are site-specific; thus, the proposed project would not have considerable cumulative impacts. However, other proposed developments in the project area, in combination with the proposed project, could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment in the city, has accounted for such growth in its service projections. Thus, the project's contribution to any cumulative impacts on hydrology or water quality would be less than significant. In light of the above, effects related to water resources would not be significant, either individually or cumulatively.

⁶⁶ Federal Emergency Management Agency, Preliminary Flood Insurance Rate Map, City and County of San Francisco, California, Panels 92A, 94A, 110A, 111A, 112A, 120A, 130A, 140A, 210A, 235A, and 255A, September 21, 2007, available at <http://sfgsa.org/index.aspx?page=828>, accessed May 25, 2010.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
16. Hazards and Hazardous Materials					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; therefore, significance criteria 16e and 16f do not apply to the proposed project.

Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. (Less than Significant)

The project would involve the renovations and expansion of an existing building to convert it from a movie theater into a live performance theater. The operation of the theater would likely handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, there would be less-than-significant impacts related to hazardous materials use, with development of the proposed project.

Impact HZ-2: Demolition and excavation of the project site could result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation)

The project site is developed with an existing movie theater. The project site is not on the Hazardous Waste and Substances Sites List, commonly called the "Cortese List," compiled by the California Department of Toxic Substances Control (DTSC) pursuant to Government Code Section 65962.5. The City adopted Ordinance 253-86 (signed by the Mayor on June 27, 1986), which requires analyzing soil for hazardous wastes within specified areas bayward of the historic high tide line, known as the Maher area, when over 50 cubic yards of soil is to be disturbed and on sites specifically designated by the Director of Public Works.⁶⁷ The project site falls outside the boundary of the Maher Ordinance and, therefore, would not be subject to this ordinance. The project site is not listed on the State Water Resources Control Board Geotracker database as a site with a Leaking Underground Storage Tanks (LUST). The project site would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The area is within an area historically associated with post-1906 earthquake fill. Much of this fill contains localized areas of petroleum, lead, and other hazardous materials that were mixed with the soil and spread as fill throughout areas within the Market Street area. Analytical results from

⁶⁷ The Maher Ordinance applies to that portion of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

the geotechnical boring samples indicated an area on the project site with soil containing elevated levels of total lead and chromium concentrations.⁶⁸ Based on these results, these contaminated soils were designated as California Hazardous Waste.

Based upon this finding, the Department of Public Health, Occupational and Environmental Health Division has recommended that the following mitigation measure be implemented to ensure clean-up of the hazardous materials from the project site. The mitigation measure would require the project sponsor enter the Voluntary Remedial Action Program (VRAP) for testing and cleanup of hazardous materials from the project site. Because the project site contains contaminated soils, additional testing, preparation of a Site Mitigation Plan, and disposition of the hazardous materials would be required as part of this program. Remediation activities would be coordinated with the San Francisco Department of Public Health until case closure objectives are reached and the case is closed.

Mitigation Measure M-HZ-2a: Participation in Voluntary Remedial Action Program (VRAP)

The project sponsor shall apply for and receive approval of a voluntary remedial action program (VRAP) for the cleanup of hazardous materials on the project site with the Department of Public Health prior to issuance of any site permits. The project sponsor shall comply with the requirements of this program and submit documentation of compliance and completion of the program to the Planning Department prior to the final occupancy of the building.

With implementation of this mitigation measure, the potential for release of hazardous materials from the site would be less than significant.

Asbestos

The existing structure on the project site includes alterations made in phases from 1917 through 2003. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or asbestos abatement work. The notification must include: (1) the names and addresses of the operations; (2) the names and addresses of persons responsible; and (3) the location and description of the structure to be demolished/ altered, including size, age, and prior use, and the approximate amount

⁶⁸ Treadwell & Rollo, Preliminary Geotechnical Investigation dated June 20, 2012. A copy of this letter is available for review at the Planning Department offices at 1650 Mission Street, Suite 400, related to Case No. 2012.0370E.

of friable asbestos; (4) scheduled starting and completion dates of demolition or asbestos abatement work; (5) nature of the planned work and methods to be employed; (6) procedures to be employed to meet BAAQMD requirements; (7) and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation about which a complaint has been received. Any ACBM disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials; Asbestos Demolition, Renovation and Manufacturing.

The local office of the State Occupational Safety and Health Administration must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow State regulations contained in 8#CCR#1529 and 8#CCR#341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California Law, the Department of Building Inspection would not issue the required permit until the applicant has complied with the notice requirements described above.

Lead-Based Paint

Lead paint may be found in buildings constructed prior to 1978 and proposed for demolition. Demolition must be conducted in compliance with Section 3423 of the *San Francisco Building Code (Building Code)*, Work Practices for Exterior Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building, or the interior of occupied buildings (E3, R1, or R3 occupancy classifications) built prior to or on December 31, 1978, Section 3423 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Section 3423 applies to buildings or steel structures on which original construction was completed prior to 1979, which are assumed to have lead-based paint on their surfaces unless a certified lead inspector/assessor tests surfaces for lead and determines it is not present according to the definitions of Section 3423. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all

reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The Ordinance also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more square feet or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of DBI with written notice that describes the address and location of the proposed project; the scope and specific location of the work; whether the responsible party has reason to know or presume that lead-based paint is present; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential; whether it is owner-occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include: a Post Sign notifying the public of restricted access to work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures, already established as part of the building permit review process and the City and State regulatory schemes, would ensure that potential impacts of the proposed project due to the presence of lead-based paint would be reduced to a less-than-significant level.

Other Potential Hazardous Building Materials

In addition to asbestos-containing building materials and lead-based paint, the existing building on the site may contain other potentially hazardous building materials such as polychlorinated biphenyl (PCB), contained primarily in exterior paint, sealants, electrical equipment, and fluorescent light fixtures. Fluorescent light bulbs are also regulated (for their disposal) due to their mercury content. Inadvertent release of such materials during demolition could expose construction workers, occupants, or visitors to these substances and could result in various adverse health effects if exposure were of sufficient quantity.

Although abatement or notification programs described above for asbestos and lead-based paint have not been adopted for PCB, mercury, other lead-containing materials, or other possible hazardous materials, items containing these substances that are intended for disposal must be managed as hazardous waste and handled in accordance with Occupational Safety and Health

Administration (OSHA) worker protection requirements. Potential impacts associated with encountering hazardous building materials such as PCB, mercury, and lead would be considered a potentially significant impact. Hazardous building materials sampling and abatement pursuant to existing regulations prior to renovation work, as described in mitigation measure M-HZ-2b, below, would reduce potential impacts associated with PCB, mercury, lead, and other toxic building substances in structures to a less-than-significant level. With mitigation measure M-HZ-2b implemented, the proposed demolition and excavation for the proposed project would not have the potential to pose a direct (through material removal, if required) or indirect (through transport of materials or accidental release) public health hazard to the surrounding neighborhood. Compliance with existing regulatory requirements, and permits would ensure that the proposed projects do not result in significant effects due to hazardous materials or wastes. Therefore, there would be less-than-significant impacts related to hazardous materials use.

Mitigation Measure M-HZ-2b: Other Hazardous Building Materials

The project sponsor shall ensure that building surveys for PCB- and mercury-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of renovation. Any hazardous materials so discovered shall be abated according to federal, State, and local laws and regulations.

Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

The proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation during the construction period. However, the proposed project would be relatively insignificant within the dense urban setting of the project site and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The Strand Theater would conform to these standards, including the development of an emergency procedure manual and an exit plan. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process.

Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards nor interfere with emergency access plans.

Impact C-HZ: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact with hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-2a to M-HZ-2b described above, the proposed project would not contribute considerably to significant cumulative effects related to hazards and hazardous materials.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
17. Mineral and Energy Resources Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and IT). This designation indicates that there is inadequate information available for assignment to any other MRZ and thus the site is not a designated area of significant mineral deposits. Since the project site is already developed, future evaluation or designation of the site would not affect or be affected by the proposed project. There are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. Accordingly, this topic is not applicable to the proposed project.

Impact ME-1: Implementation of the proposed project would not encourage activities which would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)

Development of the proposed project would not result in the consumption of large amounts of fuel, water, or energy. The generation of electricity to serve the proposed project would consume natural gas and coal fuel. The proposed project would meet or exceed current State and local codes regarding energy consumption, including Title 24 of the California Code of Regulation enforced by the DBI. They would not use fuel or water in an atypical or wasteful manner.

Based on the above information, the proposed project would not result in a less-than-significant impact on mineral or energy resources.

Impact C-ME: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to energy and minerals. (Less than Significant)

As described above, no known minerals exist at the project site, and therefore the project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the project would result in a less-than-significant physical environmental effect. The proposed project would not contribute to cumulatively considerable impacts related to energy and natural resources. Overall, the project would not result in cumulatively considerable impacts related to mineral and energy resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
18. Agriculture and Forest Resources: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (Not Applicable)

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as Urban and Built-Up Land, which is defined as "... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes." Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland or Farmland of Statewide Importance to non-agricultural use, and it

would not conflict with existing zoning for agricultural land use or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland or conversion of forest land to non-forest use. Therefore, the proposed project would have no impacts to agricultural resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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19. Mandatory Findings of Significance

Would the project:

- a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
- b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

The foregoing analysis identifies potentially significant impacts to archeological resources, air quality, and hazards and hazardous materials, which would all be mitigated through implementation of mitigation measures as described below and more fully within Section F, below.

- a. As discussed in Topic E.4, it is possible that below-ground archeological resources may be present. Any potential adverse effect to CEQA-significant archeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measure M-CP-2, described within Section F of this Initial Study. Accordingly, the proposed project would not result in a significant impact to archeological resources through the elimination of examples of major periods of California history or prehistory.
- b. The proposed project in combination with the 1095, 1169, and 1355 Market Street projects would not result in cumulative impacts to land use, aesthetics, population and housing, cultural resources,

transportation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities, public services, biological resources, geology, hydrology, hazardous materials, mineral resources, and agricultural resources. The proposed project's contributions to cumulative traffic at intersections in the vicinity would not be substantial. The proposed project would not be considered to contribute incrementally to cumulative regional air quality conditions, or to contribute to significant cumulative noise impacts. The proposed project would be consistent with the land use and height controls for the site and would not contribute to a cumulatively considerable land use or visual impact. No other significant cumulative impacts are anticipated. In summary, the proposed project would not have unavoidable environmental effects that are cumulatively considerable.

c. The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning), would be generally consistent with local land use and zoning requirements. Mitigation Measures M-NO-1 and M-NO-2 described within Section F, have been incorporated into the proposed project to address potential exposure of sensitive receptors to excessive noise in order to reduce this impact to a less-than-significant level. Mitigation Measures M-HZ-2a to M-HZ-2b, described within Section F, have been incorporated into the proposed project to address potential hazards and hazardous materials effects in order to reduce these impacts to a less-than-significant level. Additionally, Mitigation Measure M-TR-1 has been incorporated to reduce potential impacts to transit and pedestrians from loading and delivery activities at this location to a less than significant level.

F. Mitigation Measures

The following mitigation measures have been adopted by the project sponsor and are necessary to avoid potential significant effects of the proposed project.

Mitigation Measure M-CP-2: Archeology (Monitoring)

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the

suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

Consultation with Descendant Communities: On discovery of an archeological site⁶⁹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative⁷⁰ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- C) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- D) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

⁶⁹ The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁷⁰ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning

Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-TR-1: Loading and Deliveries

All deliveries and loading for the building shall be conducted through the doors and service corridor at the rear of the building, rather than through the front of the building in order to minimize potential conflicts with transit operations and pedestrian circulation on Market Street. The theater operator shall develop a plan to disseminate information concerning the requirement for rear deliveries to its suppliers and on-site personnel and shall be responsible for ensuring compliance. Additionally, the theater shall be responsible for applying for the necessary permit from the San Francisco Municipal Transportation Agency for loading zone at the rear of its building prior to final occupancy of the structure.

Mitigation Measure M-NO-1: Reduction of Building Operation Noise

The project sponsor shall submit a detailed acoustical analysis of the noise that would be generated by the operation of the proposed entertainment use and building mechanical equipment for the Strand Theater and planned attenuation measures demonstrating the project's compliance with the requirements of the San Francisco Noise Ordinance to the Planning Department for review and approval prior to the issuance of a building permit for the project.

Mitigation Measure M-NO-2: Reduction of Construction Noise

The following measures would further minimize construction noise impacts on sensitive receptors:

- Construction equipment shall be properly maintained in accordance with manufacturers' specifications and shall be fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps). All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power equipment shall be muffled or shielded.
- Construction equipment shall not idle for extended periods of time near noise-sensitive receptors.
- Stationary equipment (compressors, generators, and cement mixers) shall be located as far from sensitive receptors as feasible. Sound enclosures shall be used during noisy operations on-site.
- Temporary barriers (noise blankets or wood paneling) shall be placed around the construction site parcels and, to the extent feasible, they should break the line of sight from noise sensitive receptors to construction activities. For temporary sound blankets, the material shall be weather and abuse resistant, and shall exhibit superior hanging and tear

strength with a surface weight of at least 1 pound per square foot. Placement, orientation, size, and density of acoustical barriers shall be reviewed and approved by a qualified acoustical consultant.

- When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that would completely close the gaps, and would be dense enough to attenuate noise.

Mitigation Measure M-HZ-2a: Participation in Voluntary Remedial Action Program (VRAP)

The project sponsor shall apply for and receive approval of a voluntary remedial action program (VRAP) for the cleanup of hazardous materials on the project site with the Department of Public Health prior to issuance of any site permits. The project sponsor shall comply with the requirements of this program and submit documentation of compliance and completion of the program to the Planning Department prior to the final occupancy of the building.

Mitigation Measure M-HZ-2b: Other Hazardous Building Materials

The project sponsor shall ensure that building surveys for PCB- and mercury-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of renovation. Any hazardous materials so discovered shall be abated according to federal, State, and local laws and regulations.

G. Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on August 30, 2012, to the owners of properties within 300 feet of the project site and to neighborhood groups. No members of the public provided comments, though a request was made to receive copies of the environmental documents from a neighborhood organization.

H. Determination

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

DATE October 1, 2012



Bill Wycko
Environmental Review Officer
for John Rahaim, Director of Planning

I. Negative Declaration Preparers

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